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CONSTITUTIONS AND CANONS

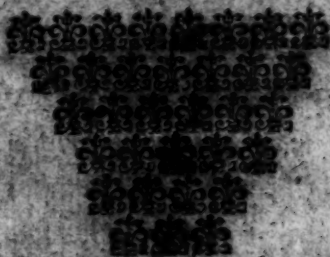
Ecclesiasticall.

Chas. Bontieff.

Treated upon by the Bishop of *London*, President of the Convocation for the Province of *Canterbury*, and the rest of the Bishops and Clergy of the said Province;

And agreed upon with the Kings Majesties Licence in their Synod begun at *London*, Anno Dom. 1603. And in the Year of the Reign of our Sovereign Lord *James*, by the Grace of God, King of *England*, *France*, and *Ireland* the first, and of *Scotland* the 37.

And now published for the due observation of them, by his Majesties Authority under the Great Seal of *England*.



L O N D O N,

Printed by JOHN NORTON, for JOYCE NORTON,
and RICHARD WHITAKER, at the Kings-
Arms, in *St. Pauls-Church-yard*, 1633.

CONFIDENTIAL

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1914

Printed by John Hutton at the King
and Leonard's Warehouse, in the Strand.
And sold by T. Bland, Church-yard, 1793.

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JAMES



JAMES by the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. To all whom these presents shall come, Greeting. Whereas our Bishops, Deans of our Cathedral Churches, Archdeacons, Chapters and Colledges and the other Clergy of every Diocese within the Province of Canterbury, being summoned and called by verine of our writ directed to the most Reverend Father in God John late Archbishop of Canterbury, and bearing date the 31 day of January, in the first year of our Reign of England, France, and Ireland, and of Scotland, the 7. to have appeared before him in our Cathedral Church of St. Pauls in London, the 20 day of March then

next ensuing, or elsewhere as he should have thought it
most convenient to treat, consult, and conclude upon
certain difficult and urgent Affairs mentioned in the
said Writ, And thereupon at the time appointed, and
within the Cathedral Church of St. Paul aforesaid, as-
semble themselves, and appear in Convocation for that
purpose according to our said Writ, before the Right
reverend Father in God Rich. Bishop of London, duly
(upon a second Writ of ours dated the 9 day of March
aforesaid) authorized, appointed, and constituted by rea-
son of the said Archbishop of Canterbury his death,
President of the said Convocation, to execute those things
which by virtue of our first Writ did appertain to him
the said Archbishop to have executed, if he had lived;
We for divers urgent and weighty causes and considera-
tions in thereto specially moving, of our special
Grace, certain knowledge, and meer motion, did by virtue
of our Prerogative Royal, and Supream Authority in
causes Ecclesiastical, give and grant by our several Let-
ters Patents under our great Seal of England, the one
dated the 2 day of April last past, and the other the 25 day
of June then next following, full, free, and lawful li-
berty, licence, power, and authority unto the said Bishop
of London, President of the said Convocation, and
to the other Bishops, Deans, Arch-deacons, Chapters and
Colledges, and the rest of the Clergy before mentioned
of the said Province, that they from time to time during
our first Parliament now prorogued, might confer,
treat, debate, consider, consult and agree of, and upon
such Canons, Orders, Ordinances and Constitutions, as
they should think necessary, fit, and convenient for the ho-
nour and service of Almighty God, the good and quiet of
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the Church, and the better government thereof, to be
some time to be observed, performed, fulfilled, and
kept, as well by the Arch-bishops of Canterbury, the Bi-
shops and their Successors, and the rest of the whole Cler-
gy of the said Province of Canterbury, in their several
Callings, Offices, Functions, Ministries, Degrees, and
administrations, as also by all and every Dean of the
Archies, and other Judges of the said Arch-bishops
Courts, Guardians, of Spiritualities, Chancellors,
Deans and Chapters, Archdeacons, Commisaries, Of-
ficials, Registers, and all and every other Ecclesiastical
Officers, and their inferior Ministers whatsoever,
of the same Province of Canterbury, in their and e-
very of their distinct Courts, and in the order and
manner of their and every of their proceedings, and
by all other persons within this Realm, as far as law-
fully being members of the Church, it may concern
them, as in our said Letters, Patents amongst other
clauses more at large doth appear. Forasmuch as the
said Bishop of London, President of the said Convoca-
tion, and others the said Bishops, Deans, Archdeacons,
Chapters, and Colleges, with the rest of the Clergy,
having met together at the time and place before men-
tioned, and then and there by vertue of our said au-
thority granted unto them, treated of, concluded, and
agreed upon certain Canons, Orders, Ordinances, and
Constitutions, to the end and purpose by us limited
and prescribed unto them, and have thereupon offered
and presented the same unto us, most humbly
desiring us to give our Royal assent unto their

Said Canons, Orders, Ordinances and Constitutions, according to the form of a certain Statute or Act of Parliament made in that behalf in the five and twentieth year of King Henry the eighth, and by our said Prerogative Royal, and Supreme authority in causes Ecclesiastical, to ratifie by our Lettens, Patents, under our great Seal of England and to confirm the same: the Title and Tenour of them being word for word as ensueth.

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Constitutions and Canons Ecclesiastical, treated upon by
the Bishop of *London*, President of the Convocation
for the Province of *Canterbury*, and the rest of the Bi-
shops and Clergy of the said Province; and agreed
upon with the Kings Majesties License in their *Synod*
begun at *London*, *An. Dom. 1603.*

*And in the Year of the Reign of our Sovereign Lord James, by the
Grace of God King of England, France and Ireland the first,
and of Scotland the 37.*

¶ Of the Church of *England*.

I. *The Kings Supremacy over the Church of England, in causes Eccle-
siastical, to be maintained.*

AS our duty to the Kings most excellent Majesty requireth,
we first decree and ordain, that the Archbishop of *Canter-
bury*, (from time to time,) all Bishops of this Province, or Deans,
Archdeacons, Parsons, Vicars, and all other Ecclesiastical per-
sons shall faithfully keep and observe, and (as much as in them
lieth) shall cause to be observed and kept of others, all and singular
Laws and Statutes made for the restoring to the Crown of this
Kingdom, the ancient jurisdiction over the State Ecclesiastical,
and abolishing of all forein power repugnant to the same. Further-
more all Ecclesiastical persons having cures of Souls, and all other
Preachers, and Readers of Divinity Lectures, shall to the uttermost
of their wit, knowledge and learning, purely and sincerely (with-
out any colour of dissimulation) teach, manifest, open, and declare
four times every year (at the least) in their Sermons and other
Collations and Lectures, That all usurped and forein power, (for-
asmuch as the same hath no establishment nor ground by the Law
of God) is for most just causes taken away and abolished: and that
therefore no manner of obedience, or subjection within his Maje-
sties Realms and Dominions, is due unto any such forein power:

but

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but that the Kings power within his Realm of England, Scotland, and Ireland, and all other his Dominions and Countreys, is the highest power under God to whom all men, as well Inhabitants as born within the faith, do by Gods Law owe most loyalty and obedience, afore and above all other power and Potens in the earth.

II. Impugners of the Kings Supremacy censured.

Whoever shall hereafter affirm, that the Kings Majesty hath not the same authority in causes Ecclesiastical that the Godly Kings had amongst the Jews, and Christian Emperors in the Primitive Church, or impeach in any part his regal Supremacy in the said causes restored to the Crown, and by the Laws of this Realm therein established, let him be excommunicated *ipso facto*, and not restored but only by the Archbishop, after his repentance and publick revocation of those his wicked errors.

III. The Church of England a true and Apostolical Church.

Whoever shall affirm, that the Church of England by Law established under the Kings Majesty, is not a true and an Apostolical Church, teaching and maintaining the doctrine of the Apostles, let him be excommunicated *ipso facto*, and not restored but only by the Archbishop, after his repentance and publick revocation of this his wicked error.

IV. Impugners of the Publick worship of God established in the Church of England censured.

Whoever shall hereafter affirm, that the form of Gods worship in the Church of England, established by the Law and contained in the Book of Common-prayer, and administration of Sacraments, is a corrupt, superstitious, or unlawful worship of God, or containeth any thing in it that is repugnant to the Scriptures, let him be excommunicated *ipso facto*, and not restored but by the Bishop of the place, or Archbishop, after his repentance and publick revocation of such his wicked errors.

V. Impugners of the Articles of Religion established in the Church of England censured.

Whoever shall hereafter affirm, that any of the nine and thirty Articles agreed upon by the Archbishops, of both Provinces, and the whole Clergy in the Convocation holden at London, in the year of our Lord God one thousand five hundred fifty two, for the avoiding of diversities of opinions, and for the establishing of consent touching true Religion, are in any part superstitious

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perdition or erroneous, or such as he may not with a good conscience subscribe unto, let him be excommunicated *ipso facto*, and not restored but only by the Archbishop, after his repentance and publick revocation of such his wicked errors.

VI. Impugners of the Rites and Ceremonies established in the Church of England censured.

Whoever shall hereafter affirm that the Rites and Ceremonies of the Church of England by Law established, are wicked, Antichristian, or superstitious, or such as being commanded by lawful authority, men who are zealously and godly affected may not with any good conscience approve them, use them, or as occasion requireth subscribe unto them, let him be excommunicated *ipso facto*, and not restored until he repent, and publickly revoke such his wicked errors.

VII. Impugners of the government of the Church of England by Archbishops, Bishops, &c. censured.

Whoever shall hereafter affirm, that the government of the Church of England under his Majesty, by Archbishops, Bishops, Deans, Archdeacons, and the rest that bear Office in the same, is Antichristian or repugnant to the word of God, Let him be excommunicated *ipso facto*, and so continue until he repent, and publickly revoke such his wicked errors.

VIII. Impugners of the form of consecrating and ordering Archbishops, Bishops, &c. in the Church of England censured.

Whoever shall hereafter affirm or teach, that the form and manner of making and consecrating Bishops, Priests or Deacons, containeth any thing in it that is repugnant to the word of God, or that they who are made Bishops, Priests or Deacons in that form are not lawfully made, nor ought to be accounted either by themselves, or by others, to be truly either Bishops, Priests or Deacons, until they have some other calling to those divine Offices, let them be excommunicated *ipso facto*, nor to be restored until he repent, and publickly revoke such his wicked errors.

IX. Authors of Schisms in the Church of England censured.

Whoever shall hereafter separate themselves from the communion of Saints, as it is approved by the Apostles rules in the church of England, and combine themselves together in a new brother-hood, accounting the christians who are conformable to the Doctrine, Government, Rites and ceremonies

monks of the Church of England, to be profane and unmeet for them to joye within Christian profession, let them be excommunicated *ipso facto*, and not restored but by the Archbishop after their repentance and publick revocation of such their wicked errors.

XI. Ministers of Churches in the Church of England censured.
WHosoever shall hereafter affirm, that such Ministers, as refuse to subscribe to the form and manner of Gods worship in the Church of England prescribed in the Communion Book, and their adherents, may truly take unto them the name of another Church not established by Law; and dare presume to publish that this their pretended Church hath of long time groaned under the burden of certain grievances imposed upon it, and upon the members thereof before mentioned by the Church of England and the Orders and constitutions therein by Law established, Let them be excommunicated, and not restored until they repent, and publicly revoke such their Wicked errors.

XII. Ministers of Churches in the Church of England censured.
WHosoever shall hereafter affirm or maintain, that there are within this Realm, or other meetings, assemblies, or congregations of the Kings born Subjects, other such as by the Laws of this land are held and allowed, which may rightly challenge to themselves the name of true and lawfull Churches, let him be excommunicated, and not restored but by the Archbishop, after his repentance and publick revocation of such his wicked errors.

XIII. Ministers of Churches in the Church of England censured.
WHosoever shall hereafter affirm, that it is lawful for any sort of Ministers and Lay persons, or either of them, to join together and make Rules, Orders or constitutions in causes Ecclesiastical, without the Kings Authority, and shall submit themselves to be ruled and Governed by them, let them be excommunicated *ipso facto*, and not be restored until they repent, and publicly revoke those their wicked and uncanonical errors.

XIV. Of Divine Service and Administration of the Sacraments.

XV. Due celebration of Sundayes and Holy dayes.
ALl members of persons within the Church of England shall from henceforth celebrate and keep the Lords day, commonly

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commonly called Sunday, and other Holy-dayes, according to Gods holy will and pleasure, and the Orders of the Church of England prescribed in that behalf, that is, in hearing the word of God read and taught, in private and publick prayers, in acknowledging their offences to God, and amendment of the same, in reconciling themselves charitably to their neighbours where displeasures have been, in often times receiving the communion of the body and blood of Christ, in visiting of the poor and sick, using all godly and sober conversation.

XIV. The prescript form of divine Service to be used on Sundayes and Holy-dayes.

The Common-prayer shall be said or sung distinctly and reverently upon such days as are appointed to be kept holy by the Book of Common-prayer, and their Eves, at convenient and usual times of those dayes, and in such place of every Church as the Bishop of the Diocese, or Ecclesiastical Ordinary of the place shall think meet for the largeness or smallness of the same, so as the people may be most edified. All Ministers likewise shall observe the Orders, Rites and Ceremonies prescribed in the Book of Common-prayer, aswell in reading the holy Scriptures, and saying of prayers, as in administration of the Sacraments, without either diminishing in regard of preaching, or in any other respect, or adding any thing in the matter or form thereof.

XV. The Litaney to be read on Wednesdayes and Fridayes.

The Litaney shall be said or sung when, and as it is set down in the Book of Common-prayer, by the persons, Vicars, Ministers, or Curates in all Cathedral, Collegiate, Parish Churches and Chapels, in some convenient place according to the discretion of the Bishop of the Diocese, or Ecclesiastical Ordinary of the place. And that we may speak more particularly, upon Wednesdayes and Fridayes Weekly, though they be not holy dayes, the Minister at the accustomed hours of Service, shall repair to the Church and Chappel, and warning being given to the people by tolling of a bell shall say the Litaney prescribed in the Book of common-prayer: wherunto we with every Householder dwelling within half a mile of the Church, to come, or send one at least of his household to joyn with the Minister in Prayers.

XVI. Colleges to use the prescript form of Divine Service.

IN the whole Divine Service and Administration of the holy Communion, in all Colleges and Halls in both Universities, the Orders, Form and Ceremonies

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Ceremonies shall be duly observed as they are set down and prescribed in the Book of Common-Prayer without any omission or alteration.

XVII. Students in Colleges to wear Surplices in time of Divine Service.

All Masters and fellows of Colleges or Halls, and all the Scholars and Students in either of the Universities shall in their Churches and Chappels upon all Sundayes, Holy-dayes, and their Eves, at the time of Divine service wear Surplices according to the Order of the Church of England; and such as are Graduates shall agreeably wear with their Surplices, such Hoods as do severally appertain to their degrees.

XVIII. Reverence and attention to be used within the Church in time of Divine Service.

In the time of Divine Service, and of every part thereof, all due reverence is to be used: For it is according to the Apostles rule; *Let all things be done decently, and according to Order.* Answerable to which Decency and Order, we judge these our directions following: No man shall cover his head in the Church or Chappel in the time of Divine Service, except he have some infirmity, in which case let him wear a Night-cap, or Coif. All manner of persons then present, shall reverently kneel upon their knees, when the general Confession, Letany, and other Prayers are read; and shall stand up at the saying of the Belief, according to the Rules in that behalf prescribed in the Book of Common-Prayer: And likewise when in time of Divine Service the Lord *Jesus* shall be mentioned, due and lowly reverence shall be done by all persons present, as it hath been accustomed: Testifying by these outward ceremonies and gestures, their inward humility, Christian resolution, and due acknowledgement that the Lord *Jesus Christ*, the true and eternal Son of God, is the only Saviour of the World, in whom alone all the Mercies, Graces, and Promises of God to mankind, for this life and for ever to come, are fully and wholly comprised. None, either man or woman or child of what calling soever, shall be otherwise at such times busied in the Church, than in quiet attendance to hear, mark and understand that which was read, preached, or ministered; Saying in their due Places, audibly with the Minister, the confession, the Lords-Prayer, and the Creed, and making such other answers to the publick Prayers as are appointed in the Book of common-prayer; neither shall they disturb the Service or Sermon,

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by walking or talking, or any other way, nor depart out of the Church during the time of Service, and Sermon, without some urgent or reasonable cause.

XIX. Loiterers not to be suffered near the church in time of Divine Service.

THe Church-wardens or Quest-men, and their Assistants, shall not suffer any idle persons to abide in the church-yard, or church-porch, during the time of Divine Service, or preaching; but shall cause them either to come in, or to depart.

XX. Bread and Wine to be provided against every communion.

THe Church-wardens of every parish, against the time of every communion, shall at the charge of the parish, with the advice and direction of the Minister, provide a sufficient quantity of fine white Bread, and of good and wholesome Wine for the number of communicants that shall from time to time receive there; which Wine we require to be brought to the communion Table in a clean and sweet standing pot, or Stoop of pewter, if not of purer metall.

XXI. The communion to be thrice a year received.

IN every parish church and chappel where Sacraments are to be administered within this Realm, the Holy communion shall be ministrified by the Parson, Vicar or Minister, so often, and at thrice times as every parishoner may communicate at the least thrice in the year (whereof the Feast of Easter to be one) according as they are appointed by the Book of common-prayer. Provided, that every Minister, as often as he administereth the communion, shall first receive the Sacrament himself. Furthermore, no Bread or Wine new brought shall be used; But first, the words of Institution shall be rehearsed when the said Bread and Wine be present upon the Communion Table. Likewise the Minister shall deliver both the Bread and the Wine to every communicant severally.

XXII. Warning to be given before hand for the communion.

WHereas every Lay-person is bound to receive the holy Communion thrice every year, and many notwithstanding do not receive that Sacrament once in a year; We do require every Minister to give warning to his parishoners publicly in the church at Morning-prayer the Sunday before every time of his administering the holy Sacrament, for their better preparation of themselves: Which said warning, we enjoin the said Parishoners to accept and obey under the penalty and danger of the Law.

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XXIII. Students in Colleges to receive the Communion four times in a year.

IN all Colleges and Halls within both the Universities, the Master, and Fellows, such especially as have any pupils, shall be careful that all their said Pupils, and the rest that remain amongst them, be well brought up, and thorowly instructed in points of Religion, and that they do diligently frequent publick service and Sermons, and receive the holy Communion; which we ordain to be administred in all such Colleges and Halls, the first or a second Sundayes of every moneth, requiring all the said masters, Fellows and Scholars, and all the rest of the Students, Officers, and all other the servants there so to be ordered, that every one of them shall communicate four times in the year at the least, kneeling reverently and decently upon their knees, according to the order of the Communion-Book prescribed in that behalf.

XXIV. Copes to be worn in Cathedral Churches by those that administer the Communion.

IN all Cathedral and Collegiate Churches, the holy communion shall be administred upon principal Feast days, sometimes by the Bishop, if he be present, and sometimes by the Dean, and at some times by a Canon or Prebendary, the principal Minister using a decent cope, and being assisted with the Gospeller and Epistoler agreeably, according to the Advertisements published Anno 7. Eliz. the said communion to be administred at such times, and with such limitation, as is specified in the Book of Common-prayer: Provided that no such limitation by any construction shall be allowed of, but that all Deans, Wardens, Masters, or Heads of Cathedral and Collegiate Churches, Prebendaries, Canons, Vicars, Pecticanons, Singing-men, and all others of the Foundation, shall receive the Communion four times yearly at the least.

XXV. Surplices and Hoods to be worn in Cathedral Churches, when there is no Communion.

IN the time of Divine Service and Prayers in all Cathedral and Collegiate Churches, when there is no communion, it shall be sufficient to wear Surplices: living that all Deans, Masters and Heads of Collegiate Churches, Canons and Prebendaries being Graduates, shall daily at the times both of Prayer and Preaching, wear with their Surplices, such Hoods as are agreeable to their degrees.

XXVI. Notori-

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XXVI. Notorious offenders not to be admitted to the Communion.

NO Minister shall in any wise admit to the receiving of the Holy Communion, any of his Cure or Flock, which be openly known to live in sin notorious without repentance; nor any who have maliciously and openly contended with their Neighbours until they shall be reconciled: Nor any Church-wardens or Side-men, who having taken their Oaths to present to their Ordinaries all such publick offences, as they are particularly charged to inquire of in their severall parishes, shall (notwithstanding their said Oaths, and that their faithful discharging of them is the chief means whereby publick sins and offences may be reformed and punished) wittingly & willingly, desperately & irreligiously incur the horrible crime of perjury, either in neglecting, or in refusing to present such of the said enormities & publick offences, as they know themselves to be committed in their said Parishes, or are notoriously offensive to the Congregation there; although they be urged by some of their Neighbours, or by their Minister or by their Ordinarie himself, to discharge their consciences by presenting of them, and not to incur so desperately the said horrible sin of perjury.

XXVII. Schismaticks not to be admitted to the Communion.

NO Minister, when he celebrateth the communion, shall wittingly administer the same to any, but to such as kneel, under pain of suspension, nor under the like pain to any that refuse to be present at publick prayers, according to the Orders of the Church of England; nor to any that are common and notorious Depravers of the Book of Common-prayer, and administration of the Sacraments, and of the Orders, Rites & Ceremonies therein prescribed, or of any thing that is contained in any of the Articles agreed upon in the Convocation 1562. or of any thing contained in the book of ordaining Priests and Bishops; or to any that have spoken against, and depraved his Majesties Sovereign Authority in causes Ecclesiastical. Except every such person shall first acknowledge to the Minister before the Church-wardens, his repentance for the same, & promise by word (if he cannot write) that he will do so no more; and except (if he can write) he shall first do the same under his handwriting to be delivered to the Minister & by him sent to the Bishop of the Diocese, or Ordinarie of the place. Provided that every Minister so expelling any (as is specified either in this or the next precedent constitution) shall upon complaint, or being required

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required by the Ordinary, signifie the cause thereof unto him, and therein obey his order and direction.

XXVIII. *Strangers not to be admitted to the communion.*

THe Church-wardens or Quest-men, and their Assistants, shall mark aswell as the Minister, whether all and every of the parishioners come so often every year to the holy communion, as the Laws and our constitutions do require: And whether any strangers come often and commonly from other parishes to their church, and shall shew their Minister of them, lest perhaps they be admitted to the Lords Table amongst others; which they shall forbid; and remit such house to their own parish churches and Ministers, there to receive the communion with the rest of their own Neighbours.

XXIX. *Fathers not to be God-fathers in Baptism, nor children not communicants.*

NO Parent shall be urged to present, nor be admitted to answer as God-father for his own child: nor any God-father or Godmother shall be suffered to make any other answer or speech than by the Book of *communion-prayer* is prescribed in that behalf. Neither shall any person be admitted Godfather or Godmother to any child at christening or confirmation, before the said person so undertaking hath received the holy communion.

XXX. *The lawful use of the Cross in Baptism explained.*

WE are sorry that his Majesties most princely care & pains taken in the conference at *Hampton-Court*, amongst many other points, touching this one of the Cross in Baptism, hath taken no better effect with many, but that still the use of it in Baptism so greatly stuck at, and impugned. For the further declaration thereof of the true use of this ceremony, & for the removing of all such scruple as might any ways trouble the consciences of them who are indeed rightly Religious, following the royal steps of our most worthy King, because he therein followeth the rules of the Scriptures, and the practice of the Primitive church we do commend all the true Members of the church of *England*, these our directions and observations ensuing.

First, it is to be observed, that although the Jews and Ebnicks derided both the Apostles & the rest of the christians for preaching and believing in him who was crucified upon the cross: Yet all, both Apostles and christians were so far from being discouraged from their profession by the ignominy of the cross, as they rather

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rather rejoyce and triumphed in it. Yea, the Holy Ghost by the mouths of the Apostles did honour the Name of the Cross (being hateful among the Jews) so far, that under it, he comprehended not only Christ crucified, but the force, effects, and merits of his Death and Passion, with all the comforts, fruits, and promises which we receive or expect thereby.

Secondly, the honor and dignity of the Name of the Cross, begat a reverend estimation even in the Apostles times (though that is known to the contrary) of the sign of the Cross: Which the Christians shortly after used in all their actions, thereby making an outward shew and profession, even to the astonishment of the Jews, that they were not ashamed to acknowledg him for their Lord and Saviour, who died for them upon the Cross. And this sign they did not only use themselves with a kind of glory, when they met with any Jews; but signed there with their children when they were christened, to dedicate them by that badge to his service, whose benefits bestowed upon them in Baptism, the name of the Cross, did represent. And this use of the sign of the Cross in Baptism, was held in the Primitive Church, as well by the Greeks as the Latins, with one consent and great applause. At what time, if any had opposed themselves against it, they would certainly have been censured as Enemies of the name of the Cross, and consequently of Christs merits, the sign whereof they could no better endure. This continual and general use of the sign of the Cross, is evident by many testimonies of the ancient Fathers.

Thirdly, it must be confessed, that in process of time, the sign of the Cross was greatly abused in the Church of Rome, especially after that corruption of popery had once possessed it. But the abuse of a thing, doth not take away the lawful use of it. Nay so far was it from the purpose of the Church of England, to forsake and reject the Churches of Italy, France, Spain, Germany, or any such like Churches, in all things which they held and practised, that as the Apology of the church of England confesseth, it doth with reverence retain those ceremonies, which do neither endamage the Church of God, nor offend the minds of sober men; And only departed from them in those particular points, wherein they were fallen, both from themselves in their ancient integrity, and from the Apostolical churches, which were their first founders. In which respect, amongst some other very ancient ceremonies, the sign of the cross in baptism hath been retained in this church, both by the

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judgement and practice of those reverend Fathers, and great Divines in the dayes of King *Edward the sixth*, of whom some constantly suffered for the profession of the truth; and others being exiled in the time of *Queen Mary*, did after their return in the beginning of the *Reign* of our late dread Sovereign, continually defend and use the same. This resolution and practice of our Church hath been allowed and approved by the censure upon the *Communion book* in King *Edward the sixth* his days, and by the harmony of confessions of latter years; because indeed, the use of this design in Baptism was ever accompanied here with such sufficient cautions and exceptions, against all Popish superstition and error, as in the like cases are either fit or convenient.

First, the church of *England*, since the abolishing of Popery, hath ever held and taught, and so doth hold and teach still, that the sign of the Cross used in Baptism, is no part of the substance of that Sacrament. For when the Minister dipping the Infant in water, or laying water upon the face of it (as the manner also is) hath pronounced these words, *I baptize thee in the Name of the Father, and of the Son, and of the Holy Ghost*, the Infant is fully and perfectly baptized: So as the sign of the Cross being afterwards used, doth neither add any thing to the vertue or perfection of baptism, nor being omitted doth detract any thing from the effect and substance of it.

Secondly, it is apparent in the *Communion book*, that the infant baptized, is by vertue of baptism, before it be signed with the sign of the Cross, received into the Congregation of Christs Flock, as a perfect member thereof, and not by any power ascribed unto the sign of the Cross. So that for the very remembrance of the Cross which is very precious to all them that rightly believe in *Jesus Christ*, and in the other respects mentioned, the Church of *England* hath retained still the sign of it in baptism: Following therein the *Primitive and Apostolical Churches*, and accounting it a lawful outward Ceremony and honorable badge, whereby the Infant is dedicated to the service of him that died upon the Cross, as by the words used in the book of *Common prayer* it may appear.

Lastly, the use of the sign of the Cross in baptism, being thus purged from all Popish superstition and error, and reduced in the Church of *England* to the primary Institution of it upon those true Rules of Doctrine concerning things indifferent, which are consonant to the word of God, and the judgements of all the an-

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cient Fathers: We hold it the part of every private man, both Minister and other, reverently to retain the true use of it prescribed by publick Authority, considering that things of themselves indifferent, do in some sort alter their natures, when they are neither commanded or forbidden by a lawful Magistrate, and may not be omitted at every mans pleasure contrary to the Law, when they be commanded, nor used when they are prohibited.

Ministers, their Ordination,

Function, and Charge,

XXXI. *Four Solemn times appointed for the making of Ministers.*

As much as the ancient Fathers of the Church led by example of the Apostles, appointed Prayers and Fasts to be used at the Solemn ordering of Ministers, and to that purpose allotted certain times, in which only sacred Orders might be given or conferred: We following their holy and Religious example do constitute and decree; That no Deacons or Ministers be ordained and made, but only upon the Sundays immediately following *Jejunia quator temporum*, commonly called Ember weeks, appointed in ancient time for Prayer and Fasting (purposely for this cause at their first Institution) and so continued at this day, in the Church of England and that this be done in the Cathedral Parish Church where the Bishop resideth, and in the time of Divine Service, in the presence, not only of the Archdeacon, but of the Dean, and two Prebendaries at the least, or (if they shall happen by any lawful cause to be let or hindered) in the presence of four other grave persons, being Masters of Arts at the least, and allowed for publick Preachers.

XXXII. *None to be made Deacon and Minister, both in one day.*

The Office of a Deacon being a step or degree to the Ministry, according to the judgement of the Ancient Fathers, and the practice of the primitive Church, We do ordain and appoint, that hereafter no Bishop shall make any person, of what qualities or gifts soever, a Deacon and a Minister, both together upon one day: but that the order in that behalf prescribed in the book of making & consecrating Bishops, Priests, & Deacons, be strictly observed, Not that always every Deacon should be kept from the Ministry for a whole year when the Bishop shall find good cause to the contrary, but that there being now 4 times appointed in every year for the

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ordination of Deacons and Ministers, there may ever be some trial of their behaviour in the Office of Deacon, before they be admitted to the Order of Priesthood.

XXXIII. The Titles of such as are to be made Ministers.

IT hath been long since provided by many decrees of ancient Fathers, That none should be admitted either Deacon or Priest, who had not first some certain place where he might use his Function, according to which examples, we do ordain that henceforth no person shall be admitted into sacred Orders, except he shall at that time exhibit to the Bishop, of whom he desireth Imposition of hands, a presentation of himself to some Ecclesiastical preferment then void in that Diocess; or shall bring to the said Bishop, a true and undoubted certificate, that either he is provided of some Church within the said Diocess, where he may attend the Cure of Souls, or of some Ministers place vacant, either in the Cathedral Church of that Diocess, or in some other collegiate Church therein also situate, where he may execute his Ministry: or that he is a Fellow, or in right as a Fellow, or to be a conductor or chaplain in some college in *Cambridge* or *Oxford*; except he be a Master of Arts of five years standing, that liveth of his own charge in either of the Universities; or except by the Bishop himself, that doth ordain him Minister, he be shortly after to be admitted either to some Benefice or curateship then void. And if any Bishop shall admit any person into the Ministry that hath none of these titles, as is afore said, then he shall keep and maintain him with all things necessary, till he do prefer him to some Ecclesiastical living. And if the said Bishop shall refuse so to do, he shall be suspended by the Archbishop, being assisted with another Bishop, from giving of Orders by the space of a year.

XXXIV. The quality of such as are to be made Ministers.

NO Bishop shall henceforth admit any person into sacred Orders, which is not of his own Diocess, except he be either of one of the Universities of this Realm, or except he shall bring Letters Dimissory (so termed) from the Bishop of whose Diocess he is, and desiring to be a Deacon, is three and twenty years old, and to be a Priest four and twenty years compleat, and hath taken some degree of School in either of the said Universities, or at the least, except he be able to yeild an account of his faith in Latine, according to the Articles of Religion approved in the Synod of the Bishops and Clergy of this Realm, 1562. and to confirm the same

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same by sufficient testimonies out of the holy Scriptures, and except moreover, he shall then exhibit letters testimonial of his good life and conversation under the Seal of some College in *Cambridge* or *Oxford*, where before he remained, or of three or four grave Ministers, together with the subscription and testimony of other credible persons, who have known his life and behaviour by the space of three years next before.

XXXV. The examination of such as are to be made Ministers.

THe Bishop before he admit any person to Holy Orders, shall diligently examine him in the presence of those Ministers that shall assist him at the Imposition of hands. And if the said Bishop have any lawful impediment, he shall cause the said Ministers carefully to examine every such person so to be ordained. Provided that they who shall assist the Bishop in examining and laying on of hands, shall be of his Cathedral Church, if they may conveniently be had, or other sufficient Ministers of the same Diocese, to the number of three at the least. And if any Bishop or Suffragan shall admit any to sacred Orders, who is not so qualified and examined as before we have ordained; the Archbishop of this Province having notice thereof, and being assisted therein by one Bishop, shall suspend the said Bishop or Suffragan so offending, from making either Deacons or Priests for the space of two years:

XXXVI. Subscription required of such as are to be made Ministers.

NO person shall hereafter be received into the Ministry, nor neither by Institution, or Collation admitted to any Ecclesiastical living, nor suffered to preach, to Catechize, or to be a Lecturer, or Reader of Divinity in either University, or in any Cathedral or Collegiate Church, City or Market Town, Parish Church, Chappel, or in any other place within this Realm, except he be licensed either by the Archbishop, or by the Bishop of the Diocese, (where he is to be placed) under their hands and Seals, or by one of the two Universities under their Seal likewise, and except he shall first subscribe to these three Articles following in such manner and sort as we have here appointed.

1. That the Kings Majesty, under God, is the only supream Governour of this Realm, and of all other his Highness Dominions and Countreies, aswel in all Spiritual, or Ecclesiastical things or causes, as Temporal: and that no forein Prince, Person, Prelate, State or Potentate, have or ought to have any Jurisdiction, Power, Superiority, Preheminence, or Authority Ecclesiastical or

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Spiritual, within his Majesties said Realms, Dominions and Countries.

2. That the Book of Common-prayer, and of ordering Bishops, Priests and Deacons, containeth in it nothing contrary to the word of God, and that it may lawfully be used, and that he himself will use the form in the said Book prescribed, in publick prayer, and Administration of the Sacraments, and none other.

3. That he alloweth the Book of Articles of Religion agreed upon by the Archbishops and Bishops of both Provinces, and the whole Clergy in the Convocation holden at London in the year of our Lord God, one thousand five hundred sixty and two, and that he acknowledgeth all and every the Articles therein contained, being in number, nine and thirty, besides the ratification, to be agreeable to the word of God.

To these three Articles, who ever will subscribe, he shall for the avoiding of all ambiguities, subscribe, in this order and form of words, setting done both his Christen and Surname, viz. I, N. N. do willingly and ex animo subscribe to these three Articles above-mentioned, and to all things that are contained in them; and if any Bishop shall ordain, admit, or license any as is aforesaid, except he first have subscribed in manner and form as here we have appointed, he shall be suspended from giving of Orders and Licenses to preach for the space of twelve Moneths. But if either of the Universities shall offend therein, we leave them to the danger of the Law, and his Majesties censure.

XXXVII. Subscribing before the Diocesan.

NOne licensed as is aforesaid, to Preach, read Lecture, or Catechize, coming to reside in any Diocess, shall be permitted thereto preach; read Lecture, Catechize, or Minister the Sacraments, or to execute any other Ecclesiastical function (by what authority soever he be thereunto admitted) unless he first consent and subscribe to the three Articles before mentioned, in the presence of the Bishop of the Diocess wherein he is to preach, read Lectures, Catechize or administer the Sacraments as aforesaid.

XXXVIII. Revolters after Subscription censured.

If any Minister after he hath once subscribed to the said three Articles, shall omit to use the form of Prayer, or any of the Orders or Ceremonies prescribed in the Communion Book, let him be suspended: and if after a Month he do not reform and submit himself within the space of another Month, let him be deposed from the Ministry.

XXXIX. Cautions

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XXXIX. Cautions for Institutions of Ministers into Benefices.

NO Bishop shall institute any to a Benefice, who hath been ordained by any other Bishop, except he first shew unto him his Letters of Orders, and bring him a sufficient testimony of his former good life and behaviour, if the Bishop shall require it: and lastly, shall appear upon due examination to be worthy of his Ministry.

XL. An Oath against Simony at institution into Benefice.

TO avoid the detestable of Simony, because buying and selling of Spiritual and Ecclesiastical Functions, Offices, Promotions, Dignities, and Livings is execrable before God; therefore the Archbishop, and all and every Bishop or Bishops, or any other person or persons, having authority to Admit, Institute, Collate, Install, or to confirm the Election of any Archbishop, Bishop, or other person or persons to any Spiritual or Ecclesiastical Function, Dignity, Promotion, Title, Office, Jurisdiction, Place, or Benefice with Cure or without Cure, or to any Ecclesiastical Living whatsoever, shall before every such Admission, Institution, Collation, Installation or Confirmation of Election respectly Minister to every person hereafter to be Admitted, Instituted, Collated, Installed, or confirmed in or to any Archbishoprick, Bishoprick, or other Spiritual, or Ecclesiastical Function, Dignity Promotion, Title, Office, Jurisdiction, Place, or Benefice with Cure or without Cure, or in any Ecclesiastical Living whatsoever, this Oath in manner and form following, the same to be taken by every one whom it concerneth, in his own person, and not by a protector: *I, N. N. do swear, That I have made no Simoniackal payment, contract or promise, directly or indirectly, by myself, or by any other, to my knowledge or with my consent, to any person or persons whatsoever, for or concerning the procuring and obtaining of this ecclesiastical Dignity, place, preferment, Office or Living, (respectively and particularly naming the same whereunto he is to be Admitted, Instituted, Collated, Installed, or Confirmed) nor will at any time hereafter perform or satisfy any such kind of payment, contract or promise made by any other without my knowledge or consent; So help me God, through Jesus Christ.*

XLI. Licences for plurality of Benefices limited, and Residence enjoined.

NO Licence or Dispensation for the keeping of more Benefices with cure than one, shall be granted to any, but such onely as shall be thought very well worthy for his learning, and very well able and sufficient to discharge his duty; that is, who shall have taken the degree of a Master of Arts at the least in one

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of the Universities of this Realm, and be a publick and sufficient Preacher licenced. Provided always, that he be by a good and sufficient caution, bound to make his personal Residence in each his said benefices for some reasonable time in every year; and that the said Benefices be no more than thirty miles distant asunder: and lastly, that he have under him, in the benefice where he doth not reside, a preacher lawfully allowed, that is able sufficiently to teach and instruct the people.

XLII. Residence of Deans in their churches.

EVery Dean, Master, or Warden, or chief Governour of any Cathedral or collegiate Church, shall be resident in his said cathedral or collegiate Church fourscore and ten days: *Conjunctim* or *Disjunctim* in every year at the least, and then shall continue there in preaching the word of God, and keeping good Hospitality except he shall be otherwise let with weighty and urgent causes to be approved by the Bishop of the Diocess, or in any other lawfull sort dispensed with. And when he is present, he, with the rest of the Canons or Prebendaries resident, shall take special care, that the Statutes & lawdable Customs of their Church (not being contrary to the Word of God, or Prerogative Royal) the Statutes of this Realm being in force concerning Ecclesiastical Order, and all other constitutions now set forth and confirmed by his Majesties Authority, and such as shall be lawfully enjoined by the Bishop of the Diocess in his visitation according to the Statutes and customs of the same Church, or the Ecclesiastical Laws of this Realm be diligently observed, and that the petty-cannons, Vicars choral, and other Ministers of their Church, be urged to the study of the holy Scriptures; and every one of them to have the New-Testament, not only in English, but also in Latine.

XLIII. Deans and Prebendaries to Preach during their Residence.

The Dean, Master, Warden, or chief Governour, Prebendaries and Canons in every cathedral and collegiate Church, shall not only preach there in their own persons, so often as they are bound by Law, Statute, Ordinance or Custome; but shall likewise preach in other Churches of the same Diocess where they are resident, & especially in those places whence they or their Church receive any yearly rents or profits. And in case they themselves be sick, or lawfully absent, they shall substitute such licenced preachers to supply their turns as by the Bishop of the diocess shall be thought meet to preach in cathedral Churches. And if any otherwise neglect

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neglect or omit to supply his course, as is aforesaid, the offender shall be punished by the Bishop, or by him or them to whom the Jurisdiction of that Church appertaineth; according to the quality of the offence.

XLIV. Prebendaries to be resident upon their Benefices.

NO Prebendaries nor Canons in Cathedral or Collegiate Churches having one or more Benefices with Cure (and not being Residentaries in the same Cathedral or collegiate churches) shall under colour of the said Prebends, absent themselves from their Benefices with cure above the space of one Moneth in the year, unless it be for some urgent cause; and certain time to be allowed by the Bishop of the Diocess. And such of the said canons and Prebendaries, as by the Ordinances of the said Cathedral or collegiate churches do stand bound to be resident in the same, shall so among themselves sort and proportion the times of the year, concerning residence to be kept in the said churches, as that some of them alwayes shall be personally resident there; and that all those who be, or shall be Residentaries in any Cathedral or collegiate church, shall after the dayes of their Residency, appointed by their local Statutes or customs, expired, presently repair to their Benefices, or some one of them, or to some other charge where the Law requireth their presence, there to discharge their duties according to the Laws in that case provided. And the Bishop of the Diocess shall see the same to be duly performed and put in execution.

XLV. Beneficed Preachers being resident upon their Livings, to Preach every Sunday.

EVery beneficed man allowed to be a Preacher, and residing on his Benefice, having no lawfull impediment, shall in his own cure, or in some other church or chappel where he may conveniently neer adjoyning, (where no Preacher is) Preach one Sermon every Sunday of the year, where he shall soberly and sincerely divide the word of truth to the glory of God, and to the best edification of the People.

XLVI. Beneficed men not Preachers to procure monethly Sermons.

EVery beneficed man not allowed to be a preacher, shall procure Sermons to be preached in his cure once in every moneth

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at the least, by Preachers lawfully licensed, if his Living in the judgement of the Ordinary will be able to bear it. And upon every Sunday, when there shall not be a Sermon preached in his cure, he or his Curate shall read some one of the Homilies prescribed, or to be prescribed by Authority to the intents aforesaid.

XLVII. Absence of beneficed men to be supplied by Curates that are allowed Preachers.

EVery beneficed man licensed by the Laws of this Realm, upon urgent occasions of other service, not to reside upon his Benefice, shall cause his Cure to be supplied by a Curate that is a sufficient and licensed Preacher, if the worth of the Benefice will bear it. But whosoever hath two benefices, shall maintain a Preacher licensed, in the Benefice where he doth not reside, except he preach at both himself usually.

XLVIII. None to be curates but allowed by the Bishop.

NO curate or Minister shall be permitted to serve in any place without examination and admission of the bishop of the Diocese or Ordinary of that place, having Episcopal Jurisdiction in writing under his Hand and Seal, having respect to the greatness of the cure, and meetness of the party. And the said curate, and Ministers, if they remove from one Diocese to another, shall not be by any means admitted to serve without testimony of the bishop of the Diocese, or Ordinary of the place aforesaid, whence they came, in writing, of their honesty, ability, and conformity to the Ecclesiastical Laws of the church of England; nor any shall serve more then one church or chappel upon one day, except that chappel be a member of the Parish-church, or united therunto; and unless the said church or chappel where such a Minister shall serve in two places be not able, in the judgement of the bishop or Ordinary, as aforesaid, to maintain a curate.

XLIX. Ministers not allowed Preachers, may not expound.

NO person whatsoever not examined and approved by the bishop of the Diocese, or not licensed, as is aforesaid, for a sufficient or convenient Preacher, shall take upon him to expound in his own cure or else where any Scripture or matter, or Doctrine, but shall only study to read plainly, and apply (without glozing

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or adding) the Homilies already set forth, or hereafter to be published by lawful Authority, for the confirmation of the true Faith, and for the good instruction and edification of the people.

L. Strangers not admitted to Preach without shewing their Licence.

Neither the Minister, Church-wardens; nor any other Officers of the Church, shall suffer any man to preach within their churches or chappels, but such as by shewing their License to preach, shall appear unto them to be sufficiently authorized thereunto, as is aforesaid.

LI. Strangers not admitted to preach in cathedral churches, without sufficient Authority.

THe Deans, Presidents, and Residentaries of any cathedral or collegiate Church, shall suffer no stranger to preach unto the people in their churches, except they be allowed by the Archbishop of the Province, or by the Bishop of the same Diocess, or by either of the Universities: And if any in his Sermon shall publish any Doctrine, either strange or disagreeing from the word of God, or from any of the Articles of Religion agreed upon in the Convocation-house, *Anno 1562.* or from the book of Common-prayers, the Dean, or the Residents shall by their Letters subscribed with some of their hands that heard him, so soon as may be, give notice of the same to the Bishop of the Diocess, that he may determine the matter, and take such order therein, as he shall think convenient.

LII. The names of strange Preachers to be noted in a Book.

That the Bishop may understand (if occasion so require) what Sermons are made in every Church of his Diocess, and who presume to preach without License, the Church-wardens and Side men shall see, that the names of all preachers which come to their Church from any other place, be noted in a book, which they shall have ready for that purpose, wherein every preacher shall subscribe his name, the day when he preached, and the name of the Bishop of whom he had license to preach.

LIII. No publick opposition between Preachers.

IF any preacher shall in the Pulpit particularly, or namely of purpose, impugn or confute any Doctrine delivered

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by any other preacher in the same Church, or in any Church near adjoyning, before he hath acquainted the Bishop of the Diocess therewith, and received order from him what to do in that case, because upon such publick dissenting & contradicting, there may grow much offence and disquietness unto the people, the Church wardens or party grieved, shall forthwith signifie the same to the said Bishop, & not suffer the said preacher any more to occupy that place which he hath once abused, except he faithfully promise to forbear all such matter of contention in the Church, untill the Bishop hath taken further order therein: who shall with all convenient speed so proceed therein, that publick satisfaction may be made in the Congregation where the offence was given. Provided that if either of the parties offending do appeal, he shall not be suffered to preach *pendente lite*.

LIV. The licences of preachers refusing Conformity to be void.

IF any man Licensed heretofore to preach, by any Archb. Bishop or by either of the *Universities*, shall at any time from henceforth refuse to conform himself to the Laws, Ordinances and Rites Ecclesiastical established in the Church of *England*, he shall be admonished by the Bishop of the Diocess, or Ordinary of the place, to submit himself to the use and due exercise of the same. And if after such admonition, he do not conform himself within the space of one month, we determine & decree that the license of every such preacher shall thereupon be utterly void, and of none effect.

LV. The form of a Prayer to be used by Preachers before their Sermons.

BEfore all Sermons, Lectures, and Homilies, Preachers and Ministers shall move the people to joyn with them in prayer in this form, or to this effect, as briefly as conveniently they may. Ye shall pray for Christs holy Catholick Church, that is, for the whole Congregation of Christian people dispersed throughout the whole World, and especially for the Churches of *England*, *Scotland* and *Ireland*, And herein I require you most especially to pray for the Kings most excellent Majesty, our Sovereign Lord **CHARLES** the Second, King of *England*, *Scotland*, *France*, and *Ireland*, Defender of the Faith, and supream Governour in these his Realms, & all other his Dominions and Countreys, over all persons

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in all causes, as well Ecclesiastical as Temporal; Ye shall also pray for our Gracious Queen *Catherine, Mary* the Queen Mother, the Illustrious Princee *James*, Duke of *York*, and the rest of the Royal progeny. Ye shall also pray for the Ministers of Gods holy Word and Sacraments, as well Archbishops and Bishops, as other Pastors and Curates. Ye shall also pray for the Kings most Honourable Council, and for all the Nobility and Magistrates of this Realm, that all and every of these in their several callings, may serve truly and painfully, to the glory of God, and the edifying and well governing of his people, remembering the account that they must make. Also ye shall pray for the whole Commons of this Realm, that they may live in the true Faith and fear of God, in humble, in humble obedience to the King, and brotherly charity one to another. Finally, let us praise God for all those which are departed out of this life in the Faith of Christ, and pray unto God that we may have grace to direct our lives after their good example; that this life ended, we may be made partakers with them of the glorious Resurrection in the life everlasting. Alwayes concluding with the Lords-prayer.

LVI. Preachers and Lecturers to read Divine Service, and administer the Sacraments twice a year at the least.

EVery Minister being possessed of a benefice that hath cure and charge of Souls, although he chiefly attend to preaching, and hath a Curate under him to execute the other duties which are to be performed for him in the Church, and likewise every other stipendary Preacher, that readeth any Lecture, or Catechizeth, or Preacheth in any Church or Chappel, shall twice at least every year, read himself the Divine Service, upon two several Sundays publicly, and at the usual times, both in the forenoon and afternoon, in the church which he so possesseth, or where he readeth, catechizeth, or preacheth as is aforesaid, & shall likewise as often in every year administer the Sacraments of baptism (if there be any to be baptized) & of the Lords Supper, in such manner and form, and with the observation of all such rites and ceremonies, as are prescribed by the book of common-prayer in that behalf; which if he do not accordingly perform, then shall he that is possessed of a benefice as before, be suspended; & he that is but a Reader, Preacher, or catechizer, be removed from his place by the Bishop of the Diocese, until he or they shall submit themselves to perform all the

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the said duties in such manner and sort, as before is prescribed.

LVII. The Sacraments not to be refused at the hands of unpreaching Ministers.

WHeras divers persons seduced by false Teachers, do refuse to have their children baptized by a Minister that is no Preacher, and to receive the holy communion at his hands in the same respect, as though the vertue of those Sacraments did depend upon his ability to preach: Forasmuch as the Doctrine both of Baptism, and of the Lords Supper, is so sufficiently set down in the Book of Common-prayer, to be used at the administration of the said Sacraments, as nothing can be added unto it that is material and necessary: We do require and charge every such person seduced as aforesaid, to reform that their wilfulness, and to submit himself to the order of the church in that behalf, both the said Sacraments being equally effectual, whether they be ministred by a Minister that is no Preacher, or by one that is a Preacher. And if any hereafter shall offend herein, or leave their own Parish-churches in that respect, and communicate, or cause their children to be baptized in other parishes abroad, and will not be moved thereby to reform that their error and unlawful course; let them be presented to the Ordinary of the place by the Minister, Church-wardens, and Stewards, or Quill-men of the parishes where they dwell, and there receive such punishment by Ecclesiastical censures, as such obstinacy doth worthily deserve; That is, let them (persisting in their wilfulness) be suspended, and then after a Months further obstinacy, Excommunicated. And likewise if any Parson, Vicar, or Curate, shall attend the publishing hereof, either receive to the communion any such persons which are not of his own Church, and Parish, or shall baptize any of their children, thereby strengthening them in there said errors. Let him be suspended and not be released thereof, until he doth faithfully promise that he will not afterwards offend therein.

LVIII. Ministers reading Divine Service, and administering the Sacraments to wear Surplices, and Graduates, therewithal hoods.

Every Minister saying the publick prayers, or ministring the Sacraments or other Rites of the Church, shall wear a decent, & comely Surplice, with sleeves to be provided at the charge of the parish, and if any question arise touching the matter, decency, or comeliness thereof, the same shall be decided by the discretion of the Ordinary. Furthermore such Ministers as are Graduates shall wear upon their Surplices at such time, such Hoods as by the Orders of the Universities are agreeable to their degrees, which no Minister shall wear (being no graduat) under pain of suspension.

Not-

Notwithstanding it shall be lawful for such Ministers as are not Graduates, to wear upon their Surplisses, instead of Hoods, some decent Tippet of Black, so it be not silk.

LIX. Ministers to Catechize every Sunday.

Every Parson, Vicar, or Curate, upon every Sunday and holy-day before Evening prayer, shall for half an hour or more examine and instruct the Youth, and ignorant persons of his parish in the ten Commandments, the Articles of the Belief, and in the Lords prayer: and shall diligently hear, instruct and teach them the Catechism, set forth in the book of Common-prayer. And all Fathers, Mothers, Masters, & Mistresses, shall cause their children, servants, and Apprentices which have not learned the Catechism, to come to Church at the time appointed, obediently to hear, and to be ordered by the Minister, until they have learned the same. And if any Minister neglect his duty herein, let him be sharply reprov'd upon the first complaint, and true notice thereof given to the Bishop or Ordinary of the place. If after submitting himself he shall wilfully offend therein again, let him be suspended. If so the third time, there being little hope that he would be therein reformed, then excommunicated, and so remain until he will be reformed. And likewise if any of the said Fathers, Mothers, Masters, or Mistresses, children, servants, or Apprentices shall neglect their duties, as the one sort in not causing them to come, and the other in refusing to learn, as aforesaid, let them be suspended by the Ordinaries, (if they be not children) and if they so persist by the space of a moneth, then let them be excommunicated.

LX. Confirmation to be performed once in three years.

Erasimuch as it hath been a solemn, ancient, and laudable custome in the Church of God, continued from the Apostles time, that all Bishops should lay their hands upon children baptized & instructed in the Catechism or Christian Religion, praying over them, and blessing them: which we commonly call *Confirmation*; and that this holy action hath been accustomed in the Church in former ages, to be performed in the Bishops Visitation every third Year: We will, and appoint, that every Bishop, or the Suffragan in his accustomed Visitation do in his own person carefully observe the said Custom. And if in that year by reason and some infirmity, he shall not be able personally to visit, then he shall not omit the execution of that duty of *Confirmation* the next year after, as he may conveniently.

LXI. Ministers to prepare Children for Confirmation.

Every Minister that hath Cure and charge of souls, for the better accomplishing of the orders, prescribed in the book of common-prayer concerning *Confirmation*, shall take such especial care as that none may be presented to the Bishop for him to lay his hand upon, but such as can render an account of their Faith according to the catechism in the said Book contained. And when the Bishop shall assign any time for the performance of that part of his duty.

duty, every such Minister shall use his best endeavour to prepare, and make, and likewise to procure as many as he can, to be then brought, and by the Bishop to be confirmed.

LXII. Ministers, not to marry any persons without Banes or Licence.

NO Minister upon pain of suspension, *per triennium ipso facto*, shall celebrate Matrimony between any persons without a Faculty or License granted by some of the persons in these our constitutions expressed, except the Banes of Matrimony have been first published three several Sundayes, or Holy-dayes, in the time of Divine Service in the Parish churches or chappels, where the said parties dwell, according to the Book of common-prayer. Neither shall any Minister upon the like pain, under any pretence whatsoever, joyn any persons so licensed in marriage at any unreasonable times, but only between the hours of eight and twelve in the forenoon, nor in any private place, but either in the said churches or chappel, where one of them dwelleth, and likewise in time of Divine Service: Nor when Banes are thrice asked (and no License in that respect necessary) before the Parents or Governours of the parties, to be married being under the age of twenty and one years, shall either personally, or by sufficient testimony, signify to him their consents given to the said marriage.

LXIII. Ministers of exempt Churches, not to marry without Banes or Licence.

EVERY Minister who shall hereafter celebrate Marriage betwixt any persons contrary to our said constitutions, or any part of them, under colour of any peculiar liberty or privilege claimed to appertain to certain churches and chappels, shall be suspended *Per Triennium*, by the ordinary of the place where the offence shall be committed. And if any such Minister shall afterwards remove from the place where he hath committed that fault, before he be suspended, as is aforesaid, then shall the Bishop of the Diocess, or Ordinary of the place where he remaineth, upon certificate under the hand and Seal of the other Ordinary, from whose jurisdiction he removed, execute that censure upon him.

LXIV. Ministers solemnly to bid Holy-dayes.

EVERY Parson, Vicar or Curate, shall in his several charge declare to the people every Sunday at the time appointed in the communion book, whether there be any Holy dayes, or Fasting dayes the week following. And if any do hereafter wittingly offend herein, and being once admonished thereof by his Ordinary, shall again omit that duty, let him be censured according to Law, until he submit himself to the due performance of it.

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LXV. Ministers solemnly to admonish Recusants, and Excommunicates.
All Ordinaries shall, in their several Jurisdictions, carefully
 see, and give order, that as well those who for obstinate re-
 fusing to frequent divine Service, established by publick autho-
 rity within the Realm of England, and the Cities (especially of the
 better sort and condition), who for notorious concubinage, or
 other notable crimes, shamefully excommunicate; (unlessse
 within three months immediately after the said sentence of Ex-
 communication pronounced against them, they resolve themselves
 and obtain the benefit of Absolution) as every six months endur-
 ing, as well in the Parish Church, as in the Cathedral Church of
 the Diocese in which they remain, by the Minister, openly in
 time of divine Service upon some Sunday, denounced and docla-
 red Excommunicate, that others may be thereby both admonish-
 ed to refrain their company and society, and excited the rather
 to procure out a writ de Excommunicatione capiendo, thereby to
 bring, and reduce them into due order and obedience. Likewise
 the Register of every Ecclesiastical Court, shall yearly between
 Michaelmas and Christmas, duly certify the Arch-Bishop of
 the Province, of all, and singular the premises aforesaid. LXV

LXVI. Ministers to confer with Recusants.
Every Minister being a Protestant, and having the Popish RE-
 cusant in his Parishes, and though not by the Bi-
 shop of the Diocese shall labour diligently with them from time
 to time, thereby to reclaim them from their Errors. And if he be
 no Protestant, nor yet such a Preacher, that he shall procure, if he
 can possibly, some Protestant Preacher, qualified, to make par-
 ticular visitation for that purpose. If he can procure none, then he shall
 inform the Bishop of the Diocese thereof, who shall not only
 appoint some neighbour Preacher, or Preachers, adjoining to take
 that labor upon them, but himself also (as his important affairs
 will permit him) shall visit him, and endeavour by instruction, per-
 suasion, and all good means he can devise, to reclaim both them;
 and all other within the Diocese so affected. LXVI

LXVII. Ministers to visit the sick.
When any person is dangerously sick in any Parish, the
 Minister or Curate (having knowledge thereof) shall
 visit, and visit him or her (if possible, he or she not known, or probably
 suspected to be a Papist) to instruct and comfort them in their
 distress

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Minister, according to the Order of the Communion Book: if he be no Preacher: or if he be a Preacher, then as he shall think most needful and convenient. And when any is passing out of this life, a Bell shall be tolled, and the Minister shall not then slack to do his last duty. And after the parties death (if it so fall out) there shall be rung no more but one short Peal, and one other before the burial, and one other after the burial.

LXVIII. Ministers not to refuse to Christen or bury.

NO Minister shall refuse or delay to Christen any child, according to the form of the Book of Common Prayer, that is brought to the Church to him upon Sundays or Holy dayes, to be christened, or to bury any corpse that is brought to the Church or Church-yard, (convenient warning being given him thereof before) in such manner, and form as is prescribed in the said book of Common Prayer. And if he shall refuse to christen the one, or bury the other, except the party deceased were denounced excommunicated *Majori excommunicatione*, for some grievous and notorious crime, (and no man able to resist of his repentance,) he shall be suspended by the Bishop of the Diocese from his Ministry by the space of three months.

LXIX. Ministers not to defer christning, if the Child be in danger.

IF any Minister being duly without any manner of collusion, informed of the sickness, and danger of death of any Infant unbaptized in his Parish, and thereupon desired to go or come to the place where the said Infant remaineth, to baptize the same, shall either wilfully refuse to do, or of purpose, or of grosse negligence shall so deferre the time, as when he might conveniently have resorted to the place, and have baptized the said Infant, it dyeth through such his default unbaptized; the said Minister shall be suspended for three months, and before his restitution shall acknowledge his fault, and promise before his Ordinary that he will not wittingly incur the like again. Provided that where there is a Curate, or a Substitute, this constitution shall not extend to the Parson, or Vicar himself, but the Curate or Substitute present.

LXX. Ministers to keep a Register of Christnings, Weddings, and Burials.

IN every Parish Church and Chappel within this Realm, shall be provided one parchment book, at the charge of the Parish, wherein

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wherein shall be written the day and year of every Christning, Wedding, or Burial, which have been in the Parish, since the time that the Law was first made in that behalf, so far as the ancient Book thereof can be procured, but especially since the beginning of the Raig of the late Queen. And for the safe keeping of the said Book, the Church-Wardens at the charge of the Parish, shall provide one sure Coffer with three Locks, and Keyes, whereof the one to remain with the Minister, and the other two with the Church-Wardens, several, so that neither the Minister without the two Church-Wardens, nor the Church-Wardens without the Minister, shall at any time take that Book out of the said Coffer. And henceforth, upon every Sabbath day, immediately after Morning or Evening Prayer, the Minister and Church-Wardens shall take the said Parchment Book out of the said Coffer, and the Minister in the presence of the Church-Wardens shall write, and record in the said Book, the names of all persons christned, together with the names and surnames of their Parents; and also the names of all persons married, and buried in that Parish, in the week before; and the day, and the year of every such Christning, Marriage, and Burial: And that done, they shall lay up that Book in the Coffer as before: and the Minister and Church-Wardens unto every page of that book, when it shall be filled with such inscription, shall subscribe their names. And the Church-Wardens shall once every year within one month after the 25. day of March, transmit unto the Bishop of the Diocese, or his Chancellour, a true Copy of the names of all persons Christned, Married, or Buried in their Parish in the year before, ended the said 25. day of March, and the certain dayes, and months in which every such Christning, Marriage, and Burial was had, to be subscribed with the hand of the said Minister and Church-Wardens, to the end the same may faithfully be preserved in the Registry of the said Bishop, which certificate shall be received without Fee. And if the Minister or Church-Wardens shall be negligent in performance of any thing herein contained, it shall be lawful for the Bishop, or his Chancellour, to convent them, and proceed against every of them as contempters of this our Constitution.

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LXXXI. *Ministers not to be admitted to the Communion in any private House.*
Non in any private House, except it be in times of necessity, when any being either so impotent, or so distressed, as to be unable to go to the Church, or very dangerously sick, are desirous to be partakers of that holy Sacrament, under pain of suspension for the first offence, and of Excommunication for the second. Provided, that Houses are here reputed for private Houses, wherein are no Chapels dedicated, and allowed by the Ecclesiastical Lawes of this Realm. And provided also under the pain before expressly that no Clergyman do preach or administer the Communion in any other place, but in the Chapels of the said Houses, and that also they do the same very seldom upon Sundays, and Holydayes. So that both the Lords, and Masters of the said Houses, and their Families shall at other times receive the holy Communion at least once every year.

LXXXII. *Ministers not to be appointed by private authority.*
No Minister or Ministers shall without the Licence and direction of the Bishop of the Diocese first obtained and had under his Hand and Seal, appoint or keep any solemn Fast, or Fast publicly, or in any private Houses, other then such as by Law are, or by publick authority shall be appointed, nor shall he willingly preferre at any of them, under pain of suspension for the first fault, of Excommunication for the second, and of Deposition from the Ministry for the third. Neither shall any Minister licensed, as is aforesaid, presume to appoint or hold any meetings for Sermons, commonly termed by some Prophesies, or Exercises in Market Towns, or other places, under the said pain. Nor without such Licence to attempt upon any pretence whatsoever, either of Possession or Obsession, by fasting, and prayers to cast out any Devil or Devils, under pain of imputation of heresie, or conenage, and deposition from the Ministry.

LXXXIII. *Ministers not to hold private Conventicles.*
Forasmuch as all Conventicles, and secret meetings of Priests and Ministers have been ever justly accounted very hurtful to the state of the Church wherein they live; We do now ordain and constitute, That no Priests or Ministers of the word of God, nor any other Persons shall meet together in any private house

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are left here, to consult upon any matter or cause to be taken by them, or upon their motion or direction by any other, which may any way tend to the impeaching or depraving of the Doctrine of the Church of England, or of the Book of Common Prayer, or of any part of the Government and Discipline now established in the Church of England, under pain of Excommunication *ipso facto*.

LXXIV. Decency in Apparel enjoined to Ministers.

THE true, ancient, and flourishing Churches of Christ, being ever desirous that their Prelacy and Clergy might be had as well in outward reverence, as otherwise regarded for the worthiness of their Ministry, did think it fit by a Prescript forme of decent and comely apparel, to have them known to the people, and thereby to receive the honour, and estimation due to the especial Messengers, and Ministers of Almighty God. We therefore following their grave judgment, and the ancient Customs of the Church of England, and hoping that in time new-fangledness of Apparel in some fashious persons will die of it self, do constitute, and appoint, That the Arch-Bishops, and Bishops shall not intermit to use the accustomed Apparel of their Sees. Likewise all Deans, Masters of Colledges, Arch-Deacons, and Prebendaries in Cathedral or Collegiate Churches, (being Priests or Deacons) Doctors in Divinity, Law, and Physick, Batchelors in Divinity, Masters of Arts, and Batchelors of Law, having any Ecclesiastical living, shall usually wear Gowns with standing collars, and sleeves straight at the hands, or wide sleeves, as is used in the Universities, with Hoods or Tippetts of Silk or Sarcenet, and square Caps. And that all other Ministers, admitted or to be admitted into that function, shall also usually wear the like Apparel, as is aforesaid, except Tippetts, onely. We do further in like manner ordain; That all the said Ecclesiastical Persons above mentioned, shall usually wear in their Journeys, Cloaks with sleeves, commonly called Priests-Cloaks without guards, welts, long Buttons, or Cuts. And no Ecclesiastical Persons shall wear any Coife, or wrought Night-caps, but onely plain Night-caps of black Silk, Sarcenet, or Velvet. In all which particulars concerning the Apparel here prescribed, our meaning is not to attribute any holinesse, or special worthinesse to the said Garments, but for decency, gravity, and orders as before specified. In private House, and in their Studies, the said persons

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persons Ecclesiastical may use any comely, and Scholar like Apparel. Provided it be not cut or pinkt, and that in publick they go not in their Dubler, and Hose, without Coats or Cassockes: and also that they wear not any light-coloured Stockins. Likewise poor Beneficed men, and Curats, (not being able to provide themselves long Gowns) may go in short Gowns, of the fashion aforesaid.

LXXV. Sober conversation required in Ministers.

NO Ecclesiastical persons shall at any time, other then for their honest necessities, resort to any Taverns or Ale-houses: neither shall they Board or Lodge in any such places. Furthermore, they shall not give themselves to any base or servile labour, or to Drinking, or Ryot, spending their time idly by Day or Night, playing at Dice, Cardes, or Tables, or any other unlawful Game: But at all times convenient, they shall hear or read somewhat of the holy Scriptures, or shall occupy themselves with some other honest study or exercise, alwaies doing the things which shall appertain to honesty, and endeavouring to profit the Church of God: having alwaies in mind that they ought to excel all others in purity of Life, and should be Examples of the people to live well, and Christianly; under pain of Ecclesiastical censures to be inflicted with severity, according to the qualities of their offences.

LXXVI. Ministers at no time to forsake their calling.

NO man being admitted a Deacon or Minister, shall from thenceforth voluntarily relinquish the same, nor afterward use himself in the course of his life, as a Lay-man upon pain of Excommunication. And the names of all such men so forsaking their Calling, the Church-Wardens of the Parish where they dwell, shall present to the Bishop of the Diocese, or to the Ordinary of the place, having Episcopal Jurisdiction,

School-Masters.

LXXVII. None to teach School without Licence.

NO man shall teach either in publick School, or private House, but such as shall be allowed by the Bishop of the Diocese, or Ordinary of the place under his Hand and Seal, being found meet as well for his learning and dexterity in

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in teaching, as for sober and honest conversation, and also for right understanding of Gods true Religion, and also except he shall first subscribe to the first, and third Articles before mentioned simply, and to the two first clauses of the second Article.

LXXVIII. Curates desirous to teach, to be licensed before others.

IN what Parish Church or Chappel soever there is a Curate which is a Master of Arts, or Batchelor of Arts, or is otherwise well able to teach Youth, and will willingly so do, for the better increase of his living, and training up of children in the principles of true Religion: We will and ordain, that a Licence to teach Youth of the Parish where he serveth, be granted to none by the Ordinary of that place but only to the said Curate: Provided alwayes, that this constitution shall not extend to any Parish or Chappel in Country Towns, where there is a publick School founded already: In which case we think it not meet to allow any to teach Grammer, but only him that is allowed for the said publick School.

LXXIX. The duties of Schoolmasters.

ALL School-masters shall teach in *English* or *Latine*, as the Children are able to bear, the larger or shorter Catechism heretofore by publike Authority set forth: And as often as any Sermon shall be upon Holy and Festival days within the Parish where they teach, they shall bring their Schollars to the Church where such Sermons shall be made, and there see them quietly, and soberly behave themselves; and shall examine them at times convenient after their Return, what they have borne away of such Sermons: Upon other days and at other times they shall train them up with such Sentences of Holy Scripture, as shall be most expedient to induce them to all godliness; and they shall teach the Grammer set forth by King *Henry* the eight, and continued in the times of King *Edward* the first, and Queen *Elizabeth* of noble memory, and none other. And if any Schoolmaster being licensed, and having subscribed, as aforesaid, shall offend in any of the premises, or either speak, write, or teach against any thing wherunto he hath formerly subscribed, (if upon admonition of the Ordinary, he do not amend, and reform himself) let him be suspended from teaching School any longer.

Things

Things appertaining to Churches.

LXXX. The great Bible and Book of Common Prayer to be had in every Church.

THe Church-Wardens or Quest-men of every Church or Chappel, shall at the charge of the Parishes provide the Book of Common Prayer lately explained in some few points by his Majesties Authority according to the Law; and his Highnesses Privilege in that behalf; and that with all convenient speed, but at the furthest within two months after the publishing of these our Constitutions: And if any Parishes be yet unfurnished of the Bible of the largest Volume, or of the Books of Homilies allowed by authority: the said Church-Wardens shall within convenient time provide the same at the like charge of the Parishes.

LXXXI. A Font of Stone for Baptism in every Church.

According to a former constitution, too much neglected in many places, we appoint, that there shall be a Font of Stone in every Church, and Chappel where Baptism is to be ministered: the same to be seen in the ancientest places, in which only Font, the Minister shall baptize publicly.

LXXXII. A decent Communion Table in every Church.

WHereas we have no doubt, but that in all Churches within the Realm of England, convenient and decent Tables are provided; and placed for the Celebration of the Holy Communion, we appoint that the same Tables shall from time to time be kept, and repaired in full order, and in orderly manner, and covered in time of Divine Service with a tapestrie of Silk: or other decent stuff thought meet by the Ordinary of the place, if any question be made of it; and with a full hangings clothed the time of the administration, as becometh that Table, and so stand, leaving when the said Holy Communion is to be administered. At which time the same shall be placed in so good sort within the Church or Chappel, as thereby the Minister may be more conveniently heard of the Communicants in his Prayer and Administration; and the Communicants more conveniently, and in more number may communicate with the said Minister; and that the said Communion Table be set up upon the East-end of every Church and Chappel,

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pel where the people may best see, and read the same, and other chosen Sentences written upon the walls of the said Churches, and Chappels in places convenient, and likewise that a convenient seat be made for the Minister to read service in. All these to be done at the charge of the Parish.

LXXXIII. *A Pulpit to be provided in every Church.*
The Church-Wardens or Quest-men at the common charge of the Parishioners in every Church shall provide a comely and decent Pulpit, to be set in a convenient place within the same, by the discretion of the Ordinary of the place, if any question do arise; and to be there seemly kept for the preaching of Gods word.

LXXXIII. *A Chest for Almes in every Church.*
The Church-Wardens shall provide and have within three Months after the publishing of these Constitutions, a strong chest, with an hole in the upper part thereof, to be provided at the charge of the Parish (if there be none already provided) having three Keyes. Of which, one shall remain in the Custody of the Parson, Vicar, or Curate, and the other two in the Custody of the Church-Wardens for the time being, which chest they shall set and fasten in the most convenient place, so that the Parishioners may put into it their Almes for their poor neighbours. And the Parson, Vicar, or Curate, shall diligently from time to time, and especially when men make their Testament, call upon, exhort, and move their neighbours to consent, and give as they may well spare, to the said chest, declaring unto them, that whereas heretofore they have been diligent to bestow much substance, otherwise then God commanded, upon superstitious uses; now they ought at this time to be much more ready to help the poor and needy, knowing that to relieve the poor is a sacrifice which pleaseth God, and that also whatsoever is given for their comfort, is given to Christ himself, and is so accepted of him, that he will mercifully reward the same. The which almes and devotion of the people, the Keepers of the Keyes shall yearly, quarterly, or oftner (as need required) take out of the chest, and distribute the same in the presence of most of the Parish, or six of the chief of them, to be truly and faithfully delivered to their most poor, and needy neighbours.

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LXXXV.

Qualifications, and Cares Ecclesiastical.

LXXXV. *Churches to be kept in sufficient repair.*

The Church-warden, or Quest-men shall take care and provide, that the Churches be well and sufficiently repaired, and so from time to time kept and maintained, that the Windows be well glazed, and that the floor be kept paved plain and even, and all things there in such an orderly and decent sort, without dust, or any thing that may be either noysome, or unseemly, as becometh the House of God, and is prescribed in an Homily to that effect. The like care they shall take, that the Church-yard be well, and sufficiently repaired, fenced, and maintained with walls, rails, or pales, as have been in each place accustomed; at their charges unto whom by Law the same appertaineth: but especially they shall see that in every meeting of the congregation, peace be well kept, and that all persons Excommunicated, and so denounced, be kept out of the Church.

LXXXVI. *Churches to be surveyed, and the decayes certified to the High Commissioners.*

Every Dean, Dean and Chapter, Arch-Deacon, and other which have authority to hold Ecclesiastical visitations by Composition, Law, or prescription, shall survey the Churches of his or their Jurisdiction, once in every three yeares in his own person, or cause the same to be done, and shall from time to time within the said three yeares, certifye the high Commissioners for causes Ecclesiastical, every year, of such defects in any the said Churches; as he or they do find to remain unrepaired, and the names, and surnames of the parties faulty therein. Upon which certificate we desire that the said High Commissioners will *Ex officio* vero, send for such parties, and compell them to obey the just and lawfull decrees of such Ecclesiastical Ordinaries, making such certificates.

LXXXVII. *A Terrier of the Glebe-Lands, and other possessions belonging to Churches.*

VV We ordain that the Arch-Bishops, and all Bishops within their several Diocesses shall procure (as much as in them

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them lieth) that a true Note and Terrier of all the Glebes, Lands, Meddows, Gardens, Orchyards, Houses, Stocks, Implements, Tenements, and portions of Tithes lying out of their Parishes, which belong to any Parsonage, or Vicarage, or rural Prebend, be taken by the view of honest men in every Parish, by the appointment of the Bishop, whereof the Minister to be one, and be laid up in the Bishops Registry, there to be for a perpetual memory thereof.

LXXXVIII. Churches not to be prophaned.

THE Church-Wardens or Quest-men, and their Assistants shall suffer no Plays, Feasts, Banquets, Suppers, Church-Ales, Drinkings, Temporal Courts, or Leets, Lay-juries, Multitors, or any other prophane usage to be kept in the Church, Chappel, or Church-yard, neither the Bells to be rung superstitiously upon Holy-days, or Eves, abrogated by the Book of Common Prayer, nor at any other times, without good cause to be allowed by the Minister of the place, and by themselves.

Church-Wardens, or Quest-men and Side-men or Assistants.

LXXXIX. The choise of Church-Wardens, and their accompt.

ALL Church-wardens or Quest-men in every Parish, shall be chosen by the joynt consent of the Minister, and the Parishioners if it may be. But if they cannot agree upon such a choice; then the Minister shall chuse one, and the Parishioners another, and without such a joynt or severall choice none shall take upon them to be Church-Wardens, neither shall they continue any longer then one year in that Office, except perhaps they be chosen again in like manner. And all Church-wardens at the end of their year, or within a moneth after at the most, shall before the Minister and the Parishioners give up a just account of such money as they have received, and also what particularly they have bestowed in reparations, and otherwise for the use of the Church. And last of all going out of their Office, they shall truly deliver up to the Parishioners whatsoever money, or other things of right belonging to the Church or Parish, which remain in their hands, that it may be

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delivered over by them to the next Church-wardens by Bill indented.

XC. The choice of Siedemen, and their joynt officer with the Church-Wardens.

THE Church-Wardens or Quest-men of every Parish, and two or three or more discreet persons in every Parish to be chosen for Siedemen or Assistants, by the Minister or Parishioners, if they can agree [otherwise to be appointed by the Ordinary of the Diocese] shall duly see, that all the Parishioners duly resort to their Church upon all Sundays and Holy-days, and there continue the whole time of Divine Service; and none to walk or to stand idle or talking in the Church, or in the Churchyard, or Churchporch during that time. And all such as shall be found slack or negligent in resorting to the Church, (having no great nor urgent cause of absence) they shall earnestly call upon them; and after due monition (if they amend not) they shall present them to the Ordinary of the place. The choice of which persons, viz. Church-Wardens or Quest-men, Siedemen or Assistants shall be yearly made in Easter week.

Parish Clerks.

XCI. Parish Clerks to be chosen by the Minister.

NO Parish-Clerk upon any Vocation shall be chosen within the City of London, or elsewhere within the Province of Canterbury, but by the Parson or Vicar; or where there is no Parson or Vicar, by the Minister of that place for the time being: Which choice shall be signified by the said Minister, Vicar, or Parson, to the Parishioners the next Sunday following in the time of Divine Service. And the said Clerk shall be of twenty years of age, at the least; and known to the said Parson, Vicar, or Minister to be of honest conversation, and sufficient for his Reading, Writing, and also for his competent skill in Singing (if it may be.) And the said Clerks so chosen, shall have and receive their ancient wages without fraud or diminution, either at the Church-Wardens at such times as hath been accustomed, or by their own collection, according to the most ancient custom of every Parish.

Ecclesiastical Courts belonging to the Arch-Bishops jurisdiction.

XXII. None to be cited into divers Courts for Probate of the same
to a Will, &c.

HOrasmuch as many heretofore have been by Appoitours both of inferior Courts, and of the Courts of the Arch-bishops, Prerogative much distracted; and feverly called, and summoned for probate of Wills, or to take administrations of the goods of Persons dying Intestate, and are thereby vexed and grieved with many canelous, and unnecessary troubles, molestacions, and expences: We constitute, and appoint, That all Chancellors, Commissaries or Officials, or any other exercising Ecclesiastical Jurisdiction whatsoever, shall at the first, charge with an Oath all persons called, or voluntarily appearing before them for the probate of any Will, or the Administration of any goods, whether they know, or (moved by any special Inducement) do firmly believe that the party deceased (whose Testament or goods depend now in question) had at the time of his or their death, any goods or good debts in any other Diocesse, or Diocesses, or peculiar jurisdiction within that Province, then in that wherein the said party dyed, amounted to the value of five poundes. And if the said persons cited, or voluntarily appearing before, shall upon his oath affirm, that he knoweth, or has of old, firmly believed, that the said party deceased had goods or good debts in any other Diocesse, or Diocesses, or peculiar jurisdiction within in the said Province, to the value aforesaid, and particularly specify, and declare the same; then shall he presently dismiss him, not presuming to intermeddle with the probate of the said Will, or to grant Administration of the goods of the party so dying Intestate; neither shall he require or call any other charges of the said parties, more then such only as are due for the citations, and other processe had, and used against the said parties, upon their further continuance; but shall openly and plainly declare and protest, that the said cause belongeth to the Prerogative of the Arch-bishop of that Province, willing and admonishing the party to prove the said Will, or require administration of the said goods in the Court

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of the said Prerogative Court to the said Bishop or Official Judge, the Probate or Administration under the Seal of the Prerogative Court shall be void. And if any Chancellor, Commissary, Official, or other exercising Ecclesiastical jurisdiction whatsoever, or any other Regales shall offend herein; let him be *ipso facto* suspended from the Execution of his office, not to be absolved or relieved, until he have restored to the party all expences by him laid out contrary to the honour of the premises; and every such probate of any Testament or Administration of goods so granted, shall be held void, and frustrate to all effects of the Law whatsoever. This Statute we charge and enjoin, that the Register of every inferior Judge, do without all difficulty or delay; certify and inform the Appointer of the Prerogative Court, repairing unto him once a month; and he shew, what Executors or Administrators have been by his said Judge; for the incompetency of his own jurisdiction; dismissed to the said Prerogative Court within the month next before; under pain of a month's suspension from the Exercise of his Office for every default therein. Provided, that this Canon or anything therein contained, be not prejudicial to any composition between the Archbishop, and any Bishop or other Ordinary; nor to any inferior Judge that shall grant any probate of Testament or Administration of goods to any party that shall voluntarily desire it; but out of the said inferior Court; and also out of the Prerogative. Provided likewise, that if any man dye in *testamentum*, the goods that he hath about him at that present, shall not cause his Testament or Administration to be liable to the Prerogative Court.

XCVI. The Rule of Bona notabilia lyable to the Prerogative Court.

Furthermore we decree; and ordain; that no Judge of the Archbishop's Prerogative shall henceforward cite or cause to be cited *ex officio*, any person whatsoever, to any of the foresaid intents, unless he have knowledge that the Party deceased was at the time of his death; possessed of goods and estate in some other Diocese or Dioeceses, or peculiar jurisdiction within that Province; then in that wherein he died, amounting to the value of five pounds at the least, descending and decending; and who so hath not goods in divers Dioeceses to the said

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sum or value, shall not be accounted to have *bona notabilia*. Always provided that this cause here, and in the former Constitution mentioned, shall not prejudice those Diocesses where by composition or custom, *bona notabilia* are rated at a greater summe. And if any Judge of the Prerogative Court, or any, his Surrogate or his Register or Apparitor, shall cite or cause any person to be cited into his Court contrary to the tenour of the premises, he shall restore to the Party so cited, all his costs, and charges, and the Act, and proceedings in that behalf shall be held void and frustrate: Which expences, if the said Judge or Register, or Apparitor, shall refuse accordingly to pay, he shall be suspended from the exercise of his Office, until he yield to the performance thereof.

XCIV. None to be cited into the Arch-bis, or Audience, but dwellers within the Arch-Bishops Diocese or Peculiaris.

NO Dean of the Arch-bis, nor Official of the Arch-Bishops Consistory, nor any Judge of the Audience, shall henceforward in his own name, or in the name of the Arch-Bishop either *Ex officio*, or at the instance of any Party, originally cite, summon, or any way compel, or procure to be cited, summoned, or compelled, any Person which dwelleth not within the particular Diocess or peculiar of the said Arch-Bishop to appear before him or any of them, for any cause or matter whatsoever belonging to Ecclesiastical cognizance without the Licence of the Diocessan first had and obtained in that behalf, other then in such particular cases only, as are expressly excepted and reserved in, and by a Statute *Ann. 23. Hen. 8. cap. 9.* And if any of the said Judges shall offend herein, he shall for every such offence be suspended from the exercise of his office for the space of three whole moneths.

XCV. The restraining of double Quarrels.

Albeit by former Constitutions of the Church of England, Every Bishop hath had two moneths space to enquire and informe himself of the sufficiency and quality of every Minister, after he hath been presented to him to be instituted into any Benefice: yet for the avoiding of some inconveniences we do now abridge;

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bridge, and reduce the said Prisoners to the said eight and twenty dayes only. In respect whereof we have thought we ought and appoynted, that no Noble, Gentleman, Minister, or any other of any of the Arch-Bishops Court at the suit of any Minister whosoever, except he shall first take the personal oath, that the said eight and twenty dayes at the least he enjoyed after he first rendered his presentation to the Bishop, and that he refused to grant him Institution thereupon, and shall enter into the Bishop's sufficient surety to prove the same to be true; under pain of suspension of the granter thereof from the execution of his office, for half a year next ensuing to be denounced by the said Arch-Bishop, and nullity of the double quarrel aforesaid, so fully procured to all intents and purposes whatsoever. Always provided that within the said eight and twenty dayes the Bishop shall not Institute any other to the prejudice of the said Party before presented, *sub poena nullitatis*.

XXVI. *Inhibitiones non debent dari ultra thesaurarium*
quodlibet causa sua de iure non sit in thesaurario

That the jurisdiction of Bishops may be preserved (as near as may be) entire, and free from prejudice; and for that behoofe of the Subjects of this Land, better provision be made, thenceforward they be not grieved with Troubles, and wrongs, suits, and molestations. It is ordained and provided, that no Inhibition shall be granted out of any Court, belonging to the Arch-Bishop of *Canterbury* at the instance of any party, unless it be subscribed by my Advocate practising in the said Court; which the said Advocate shall do freely, not taking any Fee for the same; except the party prosecuting the suit, do voluntarily bestow some gratuity upon him for his counsel, and advice in the said cause. The like course shall be used in granting forth any Inhibition at the instance of any party by the Bishop or his Chancellor, against the Arch-deacon, or any other person exercising Ecclesiastical Jurisdiction; and if in the Court or Consistory of any Bishop there be no advocate at all, then shall the subscription of a Proctor practising in the same Court, be held sufficient.

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XCVII. *Inhibitions not to be granted, until the Appeal be exhibited to the Judge.*

IT is further ordered and decreed, that henceforward no Inhibition be granted by occasion of any Interlocutory decreed, or in any correction whatsoever, except under the form aforesaid: and moreover, that before the going out of any such Inhibition, the Appeal it selfe, or a copy thereof (avouched by oath to be just and true) be exhibited to the Judge, or his lawful Surrogate, whereby he may be fully informed, both of the quality of the crime, and of the cause of the grievance, before the granting forth of the said Inhibition. And every Appellant or his lawful Proctor shall, before the obtaining of any such Inhibition, shew, and exhibit to the Judge or his Surrogate in writing, a true copy of those Acts wherewith he complaineth, himself to be agrieved, and from which hee appealeth, or shall take a corporall oath that he hath performed his diligence, and true endeavour for the obtaining of the Register in the Country, or his Deputy rendring him his fee. And if any Judge or Register shall either procure or permit any Inhibition to be sealed, so as is said, contrary to the forme, and limitation above specified; let him be suspended from the execution of his office, for the space of three monthes: if any Procter, or other person whatsoever by his appointment, shall offend in any of the Premises either by making or sending out any Inhibitions contrary to the tenour of the said premises, let him be removed from the exercise of his Office for the space of a whole year, without hope of release or restoring.

XCVIII. *Inhibitions not to be granted to factious Appellants, unless they first subscribe.*

Erasmush, as they, who break the Laws, cannot in reason claim any benefit or protection by the same: We decree, and appoint, That after any Judge Ecclesiasticall hath proceeded judicially against obstinate and factious Persons, and contemners of Ceremonies, for not observing the Rites, and orders of the Church of *ENGLAND*, or for contempt of Publique Prayer; no Judge *Ad quem* shall admit or allow any of his or their Appeals, unlesse he having first seen the originall Appeal, the

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party appellant do first personally assemble, and avow that he will faithfully keep, and observe all the Rites and Ceremonies of the Church of England, as also the Prescript form of Common Prayer; and do likewise subscribe to the three Articles formerly by us specified and declared.

XCIX. *None to Marry within the degrees prohibited.*

NO Person shall Marry within the degrees prohibited by the Laws of God, and expressed in a Table set forth by authority in the year of our Lord God, 1563. and all marriages so made and contracted, shall be adjudged incestuous and unlawful, and consequently shall be dissolved as void from the beginning, and the Parties so married shall by course of Law be separated. And the aforesaid Table shall be in every Church publickly set up and fixed at the charge of the Parson.

C. *None to Marry under one and twenty years, without their Parents consent.*

NO Children under the age of one and twenty years complete, shall contract themselves, or marry without the consent of their Parents, or of their Guardians, and Governours, if their Parents be deceased.

CI. *By whom Licences to Marry without Banns shall be granted; and to what sort of Persons.*

NO Faculty or Licence shall be henceforth granted for solemnization of Matrimony betwixt any Parties, without thrice open publication of the Banns according to the Book of Common-prayer, by any person exercising any Ecclesiastical jurisdiction, or claiming any priviledges in the right of such Churches: but the same shall be granted only by such as have Episcopal authority, or the Commissary for faculties, Vicars general of the Arch-Bishops, & Bishops, *sede plena*, or *sede vacante*, the Guardian of the Spiritualities, or Ordinaries exercising of right Episcopal jurisdiction in their several jurisdictions respectively, and unto such persons only as be of good state, and quality, and that upon a good caution and security taken.

ca. Security to be taken in the granting of such Evidences, and under what condition.

THE Security mentioned shall contain these conditions;
First, that at the time of the granting every such Licence,
there is nor any impediment of precontract, consanguinity, affi-
nity, or other lawful cause to hinder the said marriage. Secondly,
that there is not any controversy, or suit depending in any Court
before any Ecclesiastical Judge, touching any contract, or mar-
riage of either of the said Parties with any other. Thirdly, that
they have obtained thereto the expresse consent of their Pa-
rents (if they be living) or otherwise of their Guardians or Go-
vernours. Lastly, that they shall celebrate the said Matrimony
publickly in the Parish Church, or Chappell, where one of them
dwelleth, and in no other place, and that between the hours of
eight and twelve in the forenoon.

Chf. Oathes to be taken for the Conditions.

F Of the avoiding of all fraud, and collusion in this obtaining of such Licences, and Dispensations: We further constitute and appoint, That before any Licence for the celebration of Matrimony, without publication of Banns be had or granted, it shall appear to the Judge by the oaths of two sufficient witnesses, one of them to be known either to the Judge himself, or to some other person of good reputation then present, and known likewise to the said Judge, that the express content of the Parents, or Parent, if one be dead, or Guardians, or Guardian of the Parties is thereunto had, and obtained: And furthermore, that one of the Parties personally swear, that he believeth there is no let or impediment of precontract, kindred, or alliance, or of any other lawful cause whatsoever, nor any suit commenced in any Ecclesiastical Court, to bar or hinder the proceedings of the said Matrimony, according to the tenour of the aforesaid Licence.

CIV. *An Exception for those that are in Widow-hood.*

If both the Parties which are to marry being in Widow-hood, do seek a faculty for the forbearing of Banes, then the clau-

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ses before-mentioned, requiring the Parents consents may be omitted: But the Parishes where they dwell, both shall be expressed in the Licence, as also the Parish named where the Marriage shall be celebrated. And if any Commissary for Faculties; Vicar-general, or other the said Ordinaries shall offend in the premises, or any part thereof, he shall for every time so offending, be suspended from the execution of his office for the space of six moneths: And every such Licence or dispensation shall be held void to all effects and purposes, as if there had never been any such granted: and the parties marrying by virtue thereof, shall be subject to the punishments which are appointed for clandestine Marriages.

CV. No Sentence for Divorce to be given upon the sole Confession of the Parties.

FOrasmuch as Matrimonial causes have been always reckoned and reputed amongst the weightiest, and therefore require the greater caution when they come to be handled, and debated in judgement, especially in causes wherein Matrimony having been in the Church duly solemnized, is required upon any suggestion or pretext whatsoever to be dissolved or annulled: We do heartily charge and enjoyn, that in all proceedings to Divorce and Nullities of Matrimony, good circumspection and advice be used, and that the truth may (as far as is possible) be sifted out by the deposition of witnesses, and other lawful proofs and evictions, and that the credit be not given to the sole confession of the Parties themselves, howsoever taken upon Oath either within or without the Court.

CVI. No Sentences of Divorce to be given but in open Courts.

NO Sentence shall be given either for separation *a thoro & mensa*, or for annulling of pretended Matrimony, but in open Court, and in the seat of Justice, and that with the knowledge and consent either of the Archbishop within his Province, or of the Bishop within his Diocese, or of the Dean of the Arches, the Judge of the audience of *Canterbury*, or of Vicars general, or other principal Officials, or *sede vacante*, of the Guardians of the Spiritualities, or other Ordinaries to whom of right it appertaineth in their several jurisdictions,

and

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and Courts, and Concerning them only that are then dwelling under their jurisdiction.

CVII. In all Sentences for Divorce, bonds to be taken for not marrying, during each others life.

IN all Sentences pronounced only for divorce, and separation, *à thoro & mensa*; there shall be a caution and restraint inferred in the Act of the said sentence: That the parties so separated, shall live chastly, and continently: neither shall they during each others life contract Matrimony with any other person. And for the better observing this last clause, the said Sentence of Divorce shall not be pronounced, untill the Party or Parties requiring the same, have given good and sufficient caution and security into the Court, that they will not any way break or transgresse the said restraint or prohibition.

CVIII. The penalty for Judges offending in the premises.

AND if any Judge, giving Sentence of Divorce or separation, shall not fully keep and observe the premises, he shall be by the Arch-Bishop of the Province, or by the Bishop of the Diocese suspended from the exercise of his office for the space of a whole year, and the Sentence of separation so given contrary to the form aforesaid, shall be held void to all intents and purposes of the Law, as if it had not at all been given or pronounced.

**Ecclesiastical Courts belonging to
the Jurisdiction of Bishops, and
Arch-Deacons, and the proceed-
ings in them.**

CIX. Notorious Crimes and Scandals, to be certified into Ecclesiastical Courts by presentment.

IF any offend their Brethren, either by Adultery, Whoredome, Incest, or Drunkenesse, or by Swearing, Ribaldry, Usury, or any other uncleannesse, and wickednesse of life, the Church-wardens or Quest-men, and Side-men in their
next

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next presentments to their Ordinaries, shall faithfully present all, and every of the said offenders, to the intent that they, and every of them may be punished by the severity of the Laws according to their deserts, and such notorious offenders shall not be admitted to the holy Communion till they be reformed.

CX. Schismatics to be presented.

IF the Church-wardens, or Quest-men, or Assistants do or shall know any man within their Parish, or elsewhere, that is a hinderer of the Word of God, to be read or sincerely preached, or of the execution of their own Constitutions, or a supporter of any usurped or foreign power by the Laws of this Realm justly rejected, and taken away, or a defender of Popish, and erroneous Doctrine; they shall detect, and present the same to the Bishop of the Diocese or Ordinary of the place, to be censured and punished according to such Ecclesiastical Laws as are prescribed in this behalf.

CXI. Disturbers of Divine Service to be presented.

IN all visitation of Bishops, and Arch-Deacons, the Church-Wardens or Quest-men, and Side-men, shall truly, and personally present the names of all those which behave themselves rudely or disorderly in the Church, or which by striking, ringing of bells, by walking, talking, or other noise shall hinder the Minister or Parson.

THE Minister, Church-Wardens, Quest-men, and Assistants of every Parish Church, and Chappel, shall yearly within forty dayes after Easter, exhibit to the Bishop or his Chancellour, the names and surnames of all the Parishoners, as well men as women, which being at the age of sixteen years, received not the Communion at Easter before.

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Can. III. Ministers may present.
BECAUSE it often cometh to pass that the Church-Wardens, Side-men, and Quest-men, and such other Persons of the Lay, as are to take care for the suppressing of sin and wickedness in their severall Parishes, as much as in them lieth, by a monition, reprehension, and excommunication to their Ordinaries, do forbear to discharge their duties therein, either through fear of their Superiours, or through negligence more than were fit, the licentiousness of these times considered, We ordain, that hereafter every Parson and Vicar, or in the lawful absence of any Parson or Vicar, then their Curats, and Substitutes may joyn in every presentment with the said Church-wardens, Side-men, and the rest above mentioned at the times hereafter limited, if they the said Church-wardens, and the rest will present such enormities as are apparent in the Parishes: or if they will not, then every such Parson and Vicar, or in their absence, as is aforesaid, their Curates may themselves present to their Ordinaries at such times, and when else they think it meet, all such crimes as they have in charge, otherwise, as by them (being the Parson that should have the chief care for the suppressing of sin, and impiety in their Parishes) shall be thought to require due reformation. Provided always, that if any man confess his secret, and hidden sins to the Minister for the unburthening of his conscience, & to receive spiritual consolation, & ease of mind from him: We do not any way bind the said Minister by this our Constitution, but do streightly charge, and admonish him, that he do not at any time reveal, and make known to any Person whatsoever, any crime or offence so committed to his trust and secrecy (except they be such crimes as by the Laws of this Realm his own life may be called into question for concealing the same) under pain of irregularity.

Can. IV. Ministers shall present Recusants.

Every Parson, Vicar, or Curate, shall carefully inform themselves every year hereafter, how many Popish Recusants men, women, and children, above the age of thirteen years, and how many being Popishly given (who though they come to the Church, yet do refuse to receive the Communion) are Inhabitants, or make their abode, either as Sojourners, or com-

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mon Guests in any of their severall Parishes, and shall set their true names in writing (if they can learn them) or otherwise, such names as for the time they carry, distinguishing the absolute Recusants from the half Recusants: and the same, so far as they know or beleve, so distinguished and set down under their hand, shall truly present to their Ordinaries before the Feast of the Nativity next ensuing, under pain of suspension to be inflicted upon them by their said Ordinaries: and so every year hereafter upon the like pain, before the Feast of St. John Baptist. Also we ordain, that all such Ordinaries, Chancellours, Commissaries, Arch-Deacons, Officials, and all other Ecclesiastical Officers, to whom the said presentments shall be exhibited, shall likewise within one moneth after the receipt of the same, under pain of suspension by the Bishop, from the execution of their Office, for the space of half a year (as often as they shall offend therein) deliver them, or cause to be delivered to the Bishop respectively: who shall also exhibite them to the Arch-Bishop within six weeks, after he hath received the said presentment.

CKV. Ministers and Church-Wardens not to be sued for presenting.

W Hereas for the reformation of criminous persons, and disorders in every Parish, the Church-Wardens, Quest-men, Side-men, and such other Church-Officers are sworn, and the Minister charged to present as well the crimes and disorders committed by the said criminous persons, as also the common fame which is spread abroad of them, whereby they are often maligned, and sometimes troubled by the said Delinquents or their friends: We do admonish and exhort all Judges both Ecclesiastical, and Temporal, as they regard and reverence the fearful Judgement-seat of the highest Judge, that they admit not in any of their Courts, any complaint, plea, suit, or suits against any such Church-Wardens, Quest-men, Side-men, or other Church-Officers, for making any such presentments that he shall make: all the said presentments tending to the restraint of shamelesse impiety; and considering that the rules both of charity and government, do presume that they did nothing therein of malice, but for the discharge of their consciences.

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To shew the manner how Church-wardens shall be troubled for not presenting offenders.
CXVI. Church-wardens not to be troubled for not presenting offenders more than twice a year.

NO Church-wardens, Quest-men, or Side-men of any Parish shall be enforced to exhibit their presentments to any having any Ecclesiastical jurisdiction above once in every year, where it hath been no other times; nor above twice in any Diocese whatsoever, except it be at the Bishops Visitation. For the which presentments of every Parish, Church or Chappel, the Register of any Court, where they are to be exhibited, shall not receive in one year above four pence under pain, for every offence therein, of suspension from the execution of his office for the space of one month *supra quatuordecim dies*. Provided always that at good occasion shall require, it shall be lawful for every Minister, Church-wardens, and Side-men, to present offenders as oft as they shall think meet. And likewise for any godly disposed person, or for any Ecclesiastical Judge upon knowledge or notice given unto him or them, of any enormous crime within his jurisdiction, to move the Minister, Church-wardens, or Side-men, as they tender the glory of God, and reformation of sin, to present the same; and if they shall find sufficient cause to induce them thereto, that it may be in due time punished and reformed. Provided that for these voluntary presentments, there be no Fee required or taken of them, under the pain afore said.

To shew the manner how Church-wardens shall be troubled for not presenting offenders more than twice a year.
CXVII. Church-wardens not to be troubled for not presenting offenders more than twice a year.

NO Church-wardens, Quest-men, or Side-men shall be called, or cited; but only at the said time or times before limited, to appear before any Ecclesiastical Judge whatsoever, for refusing at other times to present any faults committed in their Parishes, and punishable by Ecclesiastical Laws. Neither shall they or any of them, after their presentments exhibited at any of those times, be any further troubled for the same, except upon manifest, and evident proof it may appear, that they did then willingly and wittingly omit to present some such publick crime or crimes as they knew to be committed, or could not be ignorant that there was then a publick fame of them or unless there be very just cause to call them for the explanation of their former presentments. Which case of wilful omission, their Or-

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dinaries shall proceed against them in such sort, as in causes of wilful perjury in a Court Ecclesiastical, it is already by Law provided.

CXVIII. The old Church-wardens to make their presentments before the new be sworn.

The Office of all Church-wardens, and Side-men shall be reputed ever hereafter to continue until the new Church-wardens that shall succeed them be sworn, which shall be the first week after *Easter*, or some week following, according to the direction of the Ordinary. Which time so appointed, shall always be one of the two times in every year, when the Minister and Church-wardens, and Side-men of every Parish shall exhibit to their severall Ordinaries the presentments of such enormities as have happened in their Parishes since their last presentments. And this duty they shall perform before the newly chosen Church-wardens and Side-men be sworn, and shall not be suffered to pass over the said presentments to those that are newly come into office; and are by intentment ignorant of such crimes; under pain of those censures which are appointed for the reformation of such dalliers and dispensers with their own consciences.

CXIX. Convenient time to be assigned for framing presentments.

For the avoiding of such inconveniences as heretofore have happened by the hasty making of Bills of Presentments, upon the dayes of the visitation and Synods: It is ordered, That always hereafter every Chancellour, Arch-deacon, Commissary, and Official, and every other Person having Ecclesiastical jurisdiction, at the Ordinary time when the Church-wardens are sworn: and the Arch-bishop, and Bishops, when he or they do summon their visitation, shall deliver, or cause to be delivered to the Church-wardens, Quest-men, and Side-men of every Parish, or to some of them, such Books of Articles as they or any of them shall require for the year following, the said Church-wardens, Quest-men, and Side-men to ground their presentments upon, at such times as they are to exhibit them. In which Book shall be contained the form of an oath which must be taken immediately before every such presentment: To the intent that having before-hand time sufficient, not only to peruse, and consider

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sider what their said oath shall be, but the Articles also whereupon they are to ground their presentments, they may frame them at home both advisedly, and truly, to the discharge of their own conscience, after they are sworn, as becometh honest, and godly men.

CXX. None to be cited into Ecclesiastical Courts by Process of Quorum nomina.

NO Bishop, Chancellour, Arch-deacon, Official, or other Ecclesiastical Judge shall suffer any general Process of *Quorum nomina*, to be sent out of his Court: except the names of all such as thereby are to be cited, shall be first expressly entered by the hand of the Register, or his Deputy, under the said Processes, and the said processes, and names be first subscribed by the Judge, or his Deputy, and his Seal thereto affixed.

CXXI. None to be cited into several Courts for one crime.

IN places where the Bishop and Arch-deacon do by prescription or composition visit at several times in one, and the same year, left for one, and the self-same fault any of his Majesties Subjects should be challenged, and molested in divers Ecclesiastical Courts: We order, and appoint, That every Arch-deacon, or his Official, within one month after the visitation ended that year, and the presentments received, shall certifie under his Hand and Seal to the Bishop or his Chancellour the names and crimes of all such as are detected & presented in his said visitation, to the end the Chancellour shall henceforth forbear to convent any Person for any crime or cause so detected or presented to the Arch-deacon. And the Chancellour, within the like time after the Bishops visitation ended, and presentments received, shall under his Hand and Seal signifie to the Arch-deacon or his Official, the names and crimes of all such Persons which shall be detected or presented unto him in that Visitation, to the same intent as is aforesaid. And if these officers shall not certifie each other, as is here prescribed, or after such Certificate shall intermeddle with the crimes or persons detected and presented in each others visitation: then every of them, so offending, shall be suspended from all exercise of his jurisdiction, by the Bishop of his Diocess, until he shall repay the costs & expences which the parties grieved have been at by that vexation.

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CXXII. *No Sentence of Deposition or Deposition is to be pronounced upon any Minister, but by the Bishop.*

When any Minister is complained of, in any Ecclesiastical Court belonging to any Bishop of this Province for any crime, the Chancellour, Commissary, Official, or any other having Ecclesiastical jurisdiction to whom it shall appertain, shall expedite the cause by Processes, and other proceedings against him: and upon contumacy, for not appearing, shall first suspend him, and afterward his contumacy continuing, excommunicate him. But if he appear, and submit himself to the course of Law, then the matter being ready for sentence, and the merits of his offence exacting by Law, either deprivation from his Living, or deposition from the Ministry, no such sentence shall be pronounced by any person whatsoever, but only by the Bishop with the assistance of his Chancellour, the Dean, (if they may conveniently be had) and some of the Prebendaries, if the Court be kept near the Cathedral Church, or of the Arch-deacon, if he may be had conveniently, and two other at the least grave Ministers and Preachers to be called by the Bishop, when the Court is kept in other places.

CXXIII. *No Act to be fled but in open Court.*

No Chancellour, Commissary, Arch-deacon, Official, or any other Person using Ecclesiastical jurisdiction whatsoever, shall flee any judicial Act, either of contentions or voluntary jurisdiction, except he have the Ordinary Register of that Court, or his lawful deputy; or if he or they will not, or cannot be present, then such persons as by Law are allowed in that behalf, to write or speed the same, under pain of suspension *ipse facto*.

CXXIV. *No Courts to have more than one Seal.*

No Chancellour, Commissary, Arch-deacon, Official, or any other exercising Ecclesiastical jurisdiction, shall without the Bishops consent have any more Seals than one, for the sealing of all matters incident to his office. Which Seal shall always be kept either by himself, or by his lawful Substitute exercising jurisdiction for him, and remaining within the jurisdiction of the said Judge, or in the City or principal Town of the Country. This shall contain the title of that jurisdiction, which every of the said Judges or their Deputies do execute.

Consequent

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CXXV. Convenient places to be chosen for the keeping of Courts.

ALL Chancellours, Commularies, Arch-Deacons, Officials, and all other exercising Ecclesiastical jurisdiction, shall appoint such meet places for the keeping of their Courts by the assignment or approbation of the Bishop of the Diocess, as shall be convenient for entertainment of those that are to make their appearance there, and most indifferent for their travel. And likewise they shall keep and end their Courts in such convenient time, as every man may return homewards in as due season as may be.

CXXVI. Peculiar and inferior Courts to Exhibit the Original copies of Wills into the Bishops Registry.

WHEREAS Deans, Arch-Deacons, Prebendaries, Parsons, Vicars, and other exercising Ecclesiastical jurisdiction, claim liberty to prove the last Wills and Testaments of persons deceased within their several jurisdictions, having no known nor certain Registers, nor publique place to keep their Records in, by reason whereof many Wills, Rights, and Legacies upon the death or change of such Persons, and their private Notaries, miscarry and cannot be found, to the great prejudice of his Majesties Subjects: We therefore order, and enjoyn, that all such Possessors, and exercisers of peculiar jurisdiction, shall once in every year exhibit into the publique Registry of the Bishop of the Diocess, or of the Dean, and Chapter under whose jurisdiction the said Peculiars are, every original Testament of every Person in that time deceased, and by them proved in their several peculiar jurisdictions, or a true copy of every such Testament examined subscribed and sealed by the peculiar Judge, and his Notary, Otherwise if any of them fail so to do, the Bishop of the Diocess, or Dean, and Chapter, unto whom the said jurisdictions do respectively belong shall suspend the said Parties; and every of them from the exercise of all such peculiar jurisdiction, until they have performed this our constitution.

Judges Ecclesiastical and their Surrogates.

CXXVII. The Quality, and Oath of Judges.

NO man shall hereafter be admitted a Chancellor, Commissary, or Official to exercise any Ecclesiastical jurisdiction, except he be of the full age of six and twenty years.

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years at the least, and one that is learned in the Civil and Ecclesiastical Laws, and is at the least a Mr. of Arts or Batchellour of Law, and is reasonably well practiced in the course thereof, as likewise well affected and zealously bent to Religion, touching whose life and manners no evill example is had, and except before he enter into, or execute any such Office, he shall take the Oath of the Kings Supremacy in the presence of the Bishop, or in the open Court, and shall subscribe to the Articles of Religion agreed upon in the Convocation in the year one thousand five hundred sixty and two, and shall also swear that he will to the uttermost of his understanding, deal uprightly, and justly in his office, without respect or favour or reward: The said oaths and subscription to be recorded by a Register then present. And likewise all Chancellours, Commissaries, Officials, Registrars, and all other that do now possess or execute any places of Ecclesiastical Jurisdiction, or Service, shall before Christmas next, in the presence of the Arch-Bishop, or Bishop, or in open Court, under whom or where they exercise their Offices, take the same oaths, and subscribe, as before is said: or upon refusal so to do, shall be suspended from the execution of their offices, until they shall take the said oaths, and subscribe as aforesaid.

CXXVIII. The Quality of Surrogats,

NO Chancellor, Commisarie, Arch-Deacon, Official, or any other Person using Ecclesiastical Jurisdiction, shall at any time substitute in their absence any to keep any Court for them, except he be either a grave Minister, and a Graduate, or Licenced publique Preacher, and a benevolent man near the place where the Courts are kept, or a Batchellour of Law, or a Master of Arts at least, who hath some skill in the Civil and Ecclesiastical Law, and is a favourer of true Religion, and a man of modest, and honest conversation, under pain of suspension for every time that they offend therein, from the execution of their offices for the space of three moneths *tries quorles*. And he likewise that is deputed, being not qualified as before expressed, and yet shall presume to be a Substitute to any Judge, and shall keep any Court as is aforesaid, shall undergo the same censure in manner and form as is before expressed.

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Proctors.

CXXIX. *Proctors not to retain causes without the lawful assignment of the Parties.*

NOne shall procure in any causes whatsoever unless he be thereunto constituted; and appointed by the Party himself, either before the Judge; and by Act in Court, or unless in the beginning of the Suit, he be by a true and sufficient Proxies thereunto warranted, and enabled: we call that Proxy sufficient, which is strengthened and confirmed by some authenticall Seal the Parties approbation, or at least his ratification therewithall concurring. All which Proxies shall be forthwith by the said Proctors exhibited into the Court, and be safely kept, and preserved by the Register in the publique Registry of the said Court. And if any Register or Proctor shall offend herein he shall be seclued from the Exercise of his Office for the space of two moneths, without hope of release or restoring.

CXXX. *Proctors not to retain Causes without the counsel of an Advocate.*

FOr lessening and abridging the multitude of Suits; and contentions; as also for preventing the complaints of suits in Courts Ecclesiastical, who many times are overthrowen by the oversight and negligence or by the ignorance and insufficiency of Proctors, and likewise for the furtherance, and increase of learning, and the advancement of civil and canon Law, following the laudable customs heretofore observed in the Courts pertaining to the Arch-Bishop of *Canterbury*: We will, and ordain, that no Proctor exercising in any of them, shall entertain any cause whatsoever, and keep, and retain the same for two Court dayes, without the counsel and advice of an Advocate, under pain of a years suspension from his practice; neither shall the Judge have power to release or mitigate the said penalty without expresse Mandate, and authority from the Arch-Bishop aforesaid.

Proctors

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CXXXI. *Proctors not to conclude in any cause without the knowledge of an Advocate.*

NO Judge in any of the said Courts of the Arch-Bishop, shall admit any Label, or any other matter, without the advice of an Advocate admitted to practice in the same Court; or without his subscription; neither shall any Proctor conclude any cause depending, without the knowledge of the Advocate retained and fees in the cause: which if any Proctor shall do, or procure to be done, or shall by any colour whatsoever defraud the Advocate of his duty or fee, or shall be negligent in repairing to the Advocate, and requiring his advice, what course is to be taken in the cause, he shall be suspended from all practice for the space of six months, without hope of being thereunto restored, before the said term be fully compleat.

CXXXII. *Proctors prohibited the Oath.* In animam Domini sui. **F**Orasmuch as in the probate of Testaments, and suits for administration of the goods of Persons dying intestate, the oaths usually taken by Proctors of Courts *In animam confitemur*, is found to be inconvenient: We do therefore decree, and ordain, that every Executor or Tutor for Administration, shall personally repair to the Judge in that behalf, or his Surrogate, and in his own Person (and not by Proctor) take the oath accustomed in these cases. But if by reason of sickness or age, or any other just let or impediment he be not able to make his personal appearance before the Judge, it shall be lawful for the Judge (there being faith first made by a credible Person, of the truth of his said hindrance or impediment) to grant a Commission to some grave Ecclesiastical Person abiding near the Party aforesaid, whereby he shall give power and authority to the said Ecclesiastical Person in his stead to minister the accustomed oath above mentioned, to the Executor or Tutor for such administration, requiring the said Substitute that by a faithful, and trusty messenger he certifye the said Judge truly, and faithfully what he hath done therein. Lastly, we ordain and appoint, that no Judge or Register, shall in any wise receive for the writing, Drawing, or Sealing of any such Commission, above the sum of six shillings and eight pence: whereof one moiety to be for the Judge, and the other for the Register of the said Court.

Proctors

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CXXXIII. *Proctors not to be Clamorous in Court.*
Forasmuch as it is found by experience, that the loud and confused cries, and clamours of Proctors in the Courts of the Arch-bishop, are not only troublesome and offensive to the Judge, and Advocates, but also give occasion to the standers by, of contempt and calumny toward the Court it self: that more respect may be had to the dignity of the Judge, then heretofore, and that causes may more easily, and commodiously, be handled and dispatched: We charge and enjoyn that all Proctors in the said Courts do especially intend, that the Acts be faithfully entered, and set down by the Register, according to the advice, and direction of the Advocate, that the said Proctors refrain loud speech, and troubling, and behave themselves quietly, and modestly, and that when either the Judges, or Advocates, or any of them shall happen to speak, they presently be silent, upon pain of forfeiting for two whole Terms then immediately following every such offence of theirs. And if any of them shall the second time offend herein, and after due monition shall not reforge himself: let him be for ever removed from his practice.

Registers.

CXXXIV. *How it is to be reformed in Registers.*
If any Register, or Deputy, or Substitute whatsoever, shall receive any Certificate without the knowledge, and consent of the Judge of the Court, or willingly omit to cause any Persons cited to appear upon any Court, and to be called, or hindry put off, and defer the examination of Witnesses to be examined by a day set, and assigned by the Judge, or do not obey, and observe the judicial and lawful motion of the said Judge, or omit to write, or cause to be written such citations and decrees as are to be put in execution, and set forth before the next Court day, or shall not

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pause, all Testaments exhibited in his Office, to be Registered within a convenient time, or shall set down or enact as decreed by the Judge any thing false or concealed by himself, and not so ordered or decreed by the Judge; or in the transmission of processes to the Judge *Ad quem*, shall add or insert any falsehood or untruth, or omit any thing therein, either by cunning, or by gross negligence, or in case of instance, or promoted of Office, shall receive any reward or favour of either party, or be of counsel directly or indirectly with either of the Parties in Suit, or in the execution of their Office, shall do ought else maliciously or fraudulently, whereby the said Ecclesiastical Judge or his proceedings may be slandered or defamed: We will, and ordain, that the said Register, or his Deputy or Substitute, offending in all or any of the premises shall by the Bishop of the Diocese be suspended from the exercise of his Office, for the space of one, two, or three months, or more, according to the quality of his offence, and that the said Bishop shall assign some other publique Notary to execute, and discharge all things pertaining to this Office, during the time of his said suspension.

CXXXV. A certain rate of Fees due to all Ecclesiastical Officers.

NO Bishop, Suffragan, Chancellor, Commissary, Arch-Deacon, Official, nor any other exercising Ecclesiastical Jurisdiction whatsoever, nor any Register of any Ecclesiastical Courts, nor any Minister belonging to any of the said Offices of Courts, shall hereafter, for any cause incident to their several Offices, take or receive any other or greater Fees, then such as were certified to the most Reverend Father in God, *JOHN*, late Arch-bishop of *Canterbury*, in the year of our Lord God 1597. and were by him ratified and approved, under pain of every such Judge, Officer, or Minister offending herein, shall be suspended from the exercise of their several Offices, for the space of six months for every such offence. Al-ways.

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ways provided, That if any Question shall arise concerning the certainty of the said Fees, or any of them: Then those Fees shall be held for lawfull, which the Arch-bishop of Canterbury for the time being shall under his hand approve, except the Statutes of this Realm before made, do in any particular case express some other Fees to be due. Provided furthermore, that no Fee or money shall be received either by the Arch-bishop, or any Bishop or Suffragan, either directly, or indirectly, for admitting of any into sacred Orders, nor that any other Person or Persons under the said Arch-bishop, Bishop, or Suffragan, shall for Parchment, Writing, Wax, Sealing, or for any other thing thereunto appertaining, take above ten shillings, under such pains as are already by Law prescribed.

CXXXVI. *A Table of the rates of Fees to be set up
in Courts and Registries.*

VVE do likewise constitute and appoint, that the Registrars belonging to every such Ecclesiastical Judge shall place two Tables, containing the several rates and sums of all the said Fees: One in the usual place of Consistory where the Court is kept, and the other in his Registry, and both of them in such sort, as every man whom it concerneth may without difficulty come to the view and perusal thereof, and take a Copy of them: The same Tables to be set up before the Feast of the Nativity next ensuing: And if any Registrar shall fail to place the said Tables according to the tenour hereof, he shall be suspended from the execution of his Office, until he cause the same to be accordingly done: And the said Tables being once set up, if he shall at any time remove or suffer the same to be removed, hidden, or any way hindered from sight, contrary to the true meaning of this Constitution, he shall for every such offence, be suspended from the exercise of his Office, for the space of six months.

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CXXXVII. *The whole Fee for passing Letters of Orders, and other Licences, and for other Visitation*

FOrasmuch as a chief and principal cause, and one of the chiefest, that the Bishop, Arch-Deacon, or other assigned to visit, may get some good knowledge of the State, Sufficiency, and Ability of the Clergy, and other Persons whom they are to visit: We think it convenient that every Parson, Vicar, Curate, School-master, or other Person Licensed whatsoever, do at the Bishops first Visitation, or at the next Visitation after his admission, shew, and exhibit unto him his Letters of Orders, Institution and Induction, and all other his Dispensations, Licences, or Faculties whatsoever, to be by the said Bishop either allowed, or (if there be just cause) disallowed and rejected, and being by him approved to be, as the custom is, signed by the Register, and that the whole Fees accustomed to be paid only once in the whole time of every Bishop, and afterwards, but half of the said accustomed Fees in every other visitation, during the said Bishops continuance.

Apparitors.

CXXXVIII. *The number of Apparitors restrained.*

FOrasmuch as we are desirous to redress such abuses and grievances as are said to grow by Sumners or Apparitors: we think it meet that the multitude of Apparitors be (as much as is possible) abridged, or restrained. Wherefore we decree and ordain; that no Bishop, or Arch-Deacon or their Vicars or Officials, or other inferior Ordinaries, shall depute, or have more Apparitors to serve their Jurisdictions respectively, then either they or their Predecessors were accustomed to have thirty years before the publishing of these our present Constitutions. All which Apparitors shall by themselves faithfully execute their Offices, neither shall they by any colour or pretence whatsoever,

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cause or suffer their Mandats to be executed by any Messengers or Substitutes, unless the same be upon some good cause to be first known and approved by the Ordinary of the place. Moreover, they shall not take upon them the Office of Promoters or Informers for the Court, neither shall they exact more or greater Fees, than are in these our Constitutions formerly prescribed. And if either the number of the Apparitors deputed shall exceed the aforesaid limitation; or any of the said Apparitors shall offend in any of the premises; the Persons deputing them, if they be Bishops, shall upon admonition of their Superiour, discharge the Persons exceeding the number so limited. If Inferiour Ordinaries, they shall be suspended from the execution of their Office, until they have dismissed the Apparitors by them so deputed, and the Parties themselves so deputed, shall for ever be removed from the Office of Apparitors: and if being so removed, they desist not from the exercise of their said Office, let them be punished by Ecclesiastical censure, as persons contumacious. Provided, that if upon experience the number of the said Apparitors be too great in any Diocese, in the judgement of the Arch-bishop of *Canterbury*, for the time being, they shall by him be so abridged, as he shall think meet and convenient.

Authority of Synods.

CXXXIX. *A National Synod, the Church Representative.*
W Hosoever shall hereafter affirm, that the Sacred Synod of this Nation in the Name of CHRIST, and by the Kings Authority, assembled, is not the true Church of *ENGLAND* by representation, let him be Excommunicated, and not restored, until he repent, and publicly revoke that which he hath affirmed.

Constitutions; and

notwithstanding, that no manner of Person either

VV Hofoever shall affirm, that no manner of Person either
of the Clergy or Laity, not being themselves particu-
larly assembled in the said Sacred Synod, are to be subject
to the Decree or censures Ecclesiastical (made and ra-
tified by the Kings Majesties supreme Authority) as yet ha-
ving given their voice unto the my let him be Excommunicat-
ed, and not restored, until he repent, and publicly re-
voke that his wicked errors and wicked opinions, the same

CXXI *Disorder of the Synod* In the year of our Lord

VV Hofoever shall hereafter affirm, that the Sacred Synod
assembled as afore said, was a company of such Persons
as did conspire together against Godly and Religious professors
of the Gospel, and that therefore both they and their proceed-
ings, in making of Canons and Constitutions in cause Eccle-
siastical, by the Kings Authority, as aforesaid, ought to be
despised and contemned, the same being ratified, confirmed,
and enjoyed by the said Regal Power, Supremacy, and Au-
thority: let them be excommunicated, and not restored until
they repent, and publicly revoke that wicked error.

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VV E of Our Princely inclination and Royal
care, for the maintenance of the present
State and Government of the Church of
England by the Laws of this our Realm, now settled
and established, having diligently with great contentment
and comfort, read and considered of all these their said
Canons, Orders, Ordinances, and Constitutions agreed
upon,

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upon, and before expressed. And finding the same such
as We are perswaded will be very profitable not only to
our Clergy, but to the whole Church of this our King-
dome, and to all the true Members of it, as if they be well
observed. Et wherefore for Us, our Heirs and Law-
full Successors, of our special Grace, certain knowledge,
and meer Motion given, and by these presents do give our
Royal assent, according to the form of the said Statute
or Act of Parliament aforesaid, to all, and every of the
said Canons, Orders, Ordinances, and Constitutions, and
to all manner things in them contained, as they are be-
fore written.

And furthermore, We do not only by our said Pre-
rogative Royal and Supreme Authority, in causes Eccle-
siastical, ratifie, confirm, and establish by these our
Letters Patentes, the said Canons, Orders, Ordinances,
and Constitutions, and all and every thing in them con-
tained, as is aforesaid, but do likewise propound, pub-
lish, and straightly enjoin, and command by our said
Authority, and by these our Letters Patentes, the same
to be diligently observed, executed, and equally kept by
all our loving Subjects of this our Kingdom, both
within the Province of Canterbury and York, in all
points wherein they do or may concern every or any of
them according to this Our will and pleasure hereby sig-
nified.

all.

Minist'rs God's servants Rom. 591

Minist'rs must be pure 596

but not in distraction. 598

Minist'rs must be wrought in 607

Minist'rs to be left to God's blessing 620

Minist'rs ought not only to be
to be to be but to be in it. 621

Minist'rs of one's self to be 657

therefore must be in the place of it

Minist'rs pay no more than they
are given to. 658

Minist'rs must be in duty. 658

Minist'rs first to be in duty. 6

Minist'rs taking on themselves 6.7

Minist'rs to be of the best of the
the best of the best of the best. 11

Minist'rs to be in the best of the best. 26

Minist'rs to be in the best of the best. 46

Minist'rs to be in the best of the best. 73

Minist'rs to be in the best of the best. 84.90

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Sin some things no sin. 33.
others exalts it. 638.

Sea. 47. Ships. 58. 59

Spirits run out the forms. 60

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